

REV. JOSE UGARTE

**DOCUMENTS PRODUCED BY THE ARCHDIOCESE OF LOS ANGELES 2013
PURSUANT TO JCCP 4286 SETTLEMENT AGREEMENT**

Vicar for Clergy Database

Clergy Assignment Record (Detailed)

Rev Jose I. Ugarte

Current Primary Assignment

<i>Birth Date</i>	7/29/1941	<i>Age:</i>	71
<i>Birth Place</i>	Delica, Alava, Spain	<i>Deanery:</i>	22
<i>Diaconate Ordination</i>			
<i>Priesthood Ordination</i>	5/29/1971		
<i>Diocese Name</i>	Archdiocese of Los Angeles		
<i>Date of Incardination</i>	5/29/1971		
<i>Religious Community</i>			
<i>Ritual Ascription</i>	Latin		
<i>Ministry Status</i>	Inactive Leave		
<i>Canon State</i>	Diocesan Priest	<i>Incard Process</i>	<input type="checkbox"/>
<i>Begin Pension Date</i>	6/14/1971		
<i>Home phone</i>	(562) 531-7872		
<i>Seminary</i>	St. John's Seminary, Camarillo		
<i>Ethnicity</i>	Spanish		
<u><i>Language(s)</i></u>	<u><i>Fluency</i></u>		
Spanish	Native Language		

Fingerprint Verification and Safeguard Training*Date Background Check**Virtus Training Date*

Assignment History

<i>Assignment</i>	<i>Beginning Date</i>	<i>Completion Date</i>
Inactive Leave, PRIEST NOT TO MINISTER under any circumstances.	11/1/1993	
Sick Leave	5/1/1993	10/31/1993
St. Pius X Catholic Church, Santa Fe Springs Associate Pastor (Parochial Vicar), Active Service	9/21/1987	4/30/1993
St. Matthias Catholic Church, Huntington Park Associate Pastor (Parochial Vicar), Active Service	7/9/1983	9/20/1987
Presentation of Mary Catholic Church, Los Angeles Associate Pastor (Parochial Vicar), Active Service	2/10/1979	7/8/1983
Santa Clara Catholic Church, Oxnard Associate Pastor (Parochial Vicar), Active Service	6/16/1975	2/9/1979

St. Thomas the Apostle Catholic Church, Los Angeles Associate Pastor
(Parochial Vicar), Active Service

6/14/1971

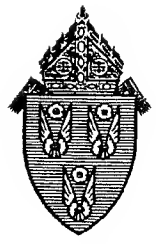
6/15/1975

If yes — remove
from Payroll — 1/1
[REDACTED], Payroll
[REDACTED] Ins.

Keep written memos
before Jan. 15



Recommend: Return to Spain
Pathological list [redacted] 10 Oct 75 11a Monday 22 Sept
[redacted]



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015
DUnkirk 8-8101

Sept. 18th.

Msg. Rander:

DR. [redacted] (home)
[redacted] Ext. 279

A pathologist at [redacted] Hosp.
lives in St. John Fisher Parish, P.V.
Amenable intelligent & apparently
a good Catholic.

[redacted]
16 yrs. old: recently arrived
from Madrid. Brother-in-law
c) Dr. [redacted]

Fr. Jose Ugarte: Oxnard.

Fr. U. met [redacted] by accident
in Kennedy Airport N.Y.
Called him several times at
home in P.V. The family were
happy thinking that [redacted] was
receiving counsel. Invited to Oxnard
— never went.



ARCHDIOCESE OF LOS ANGELES

1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015

DUnkirk 8-8101

Invited to go to Encinada
for Fr. Vguta's day off Sept. 10 '8
Picked up REDACTED at home
that day. (REDACTED lives in
P.V. with his brother-in-law).

Drove to Royal Inn,
Encinada. Booked a double-room.
Gave REDACTED liquor with some
drug. Molested him + caused
a traumatic scene.

Returned the next morning
to P.V. + the boy was in
a state of shock. Physically
he was hurt, bleeding, headaches.
Told his story eventually.

The Doctor called
police in Oxnard + (very
secretly) advised them of
this dangerous man. The
police told him - no crime
in the U.S. but to go
to the chancery.

25275

XXXIII 000003



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015
DUmkirk 8-8101

The boy is apparently making
a good recovery.
The doctor wants to
know what kind of drug
was used?
I told him that
we would take appropriate
action.

eye

- 1- Too drunk to remember
- 2- absolutely no drugs - only liquor
- 3- Step mother causing boy trouble.
far away from home.

REDACTED

Confidential
Rev. Jose Ugarte

25277

XXXIII 000005

REV. JOSE UGARTE
CANONICAL ACTION

CONFIDENTIAL

THE ARCHBISHOP OF LOS ANGELES

CONFIDENTIAL


25278

REV. JOSE UGARTE
TESTIMONY FOR CANONICAL PROCESS

MT6 file

6/30 - 2pm

Pro

YOU MAY
WANT CARDINAL
TO SEE THIS
BEFORE THE
APPOINTMENT
~~THURSDAY~~ THURSDAY


Priority

The C-File Ugarite
materials attached to this
memo are most imp.
& shld be returned to
the file immediately —
as they are ORIGINALS

Ans
TD 12/11

7/28

1st 3 TP's —
taken care of by [REDACTED]
memo in this packet.

TP 4 — by the
memo in this packet to
[REDACTED]

Pma.
my

Retyped
8/2

**Agreement between Cardinal Roger Mahony, Archbishop of Los Angeles
and Reverend Jose I. Ugarte**

Introduction:

At the time this agreement is entered, Reverend Jose I. Ugarte is an incardinated priest of the Archdiocese of Los Angeles who has no ecclesiastical office. The faculties of Father Ugarte were revoked in a decree dated March 17, 1994. No recourse was taken against that revocation. In addition, a precept was imposed on Reverend Ugarte on July 30, 1994, enjoining him from a number of specific activities.

Agreement:

I, Reverend Jose I. Ugarte, agree to:

- 1) Leave the United States and take up permanent residence in Spain, no later than September 30, 1995.
- 2) Not to return to the United States without the express and written authorization of the Archbishop of Los Angeles for a period of seven years, ending September 15, 2002.
- 3) After September 15, 2002, not to return to the Archdiocese of Los Angeles without the express written authorization of the Archbishop of Los Angeles.
- 4) To conduct no public or private ministry in Spain other than a Mass at home for immediate members of my family, complying fully with the restrictions on any public ministry involved in the decree revoking my faculties of March 17, 1994, and the precept of July 30, 1994.
- 5) To report to Reverend [REDACTED] of the Diocese in VITORIA, Spain, for regular supervision.
- 6) To maintain contact with Bishop [REDACTED], of the Diocese of VITORIA, and abide by any further directions he may issue.
- 7) To secure employment in a secular occupation in order to become self-supporting.

I, Cardinal Roger M. Mahony, Archbishop of Los Angeles, agree to:

- 1) Close the penal procedure initiated by my decree of July 19, 1994, without any formal declaration that the penalty of excommunication was incurred.
- 2) Write the Congregation for the Doctrine of the Faith, reporting on the situation and this agreement and asking that, in light of this agreement, that the Congregation remit the censure of excommunication insofar as it might have been incurred.

- 3) Continue to keep Reverend Jose I. Ugarte on the medical insurance plan of the Archdiocese of Los Angeles indefinitely.
- 4) Provide Reverend Jose I. Ugarte with a monthly stipend of \$400.00 *beginning with the* from the date of *Calendar* ~~this agreement through December 1996~~ *month*. After that time, no further stipend will be *to the* provided and Father Ugarte will be expected to support himself. *the signing*
- 5) To inform Bishop _____ of the Diocese of VICTORIA, of the *of the* status of Father Ugarte, of the terms of this agreement, seeking his assistance in *agreement* monitoring that its provisions are fulfilled. *through* *December* *1996*

The terms of this agreement are fully binding and can only be modified by a mutual and written agreement between Father Ugarte and the Archbishop of Los Angeles. Should Father Ugarte fail to abide by its provisions, that failure shall be deemed a violation of his obligation of priestly obedience (canon 273) and will subject him to the possibility of ecclesiastical penalties under the provision of canon 1371, 2°.

Rev. Jose I. Ugarte

Cardinal Roger M. Mahony

Witness

Witness

D E C R E E

Acting in accord with the pastoral responsibility for the spiritual welfare of the portion of the People of God entrusted to me as Archbishop of Los Angeles (canon 381, §1), it has been determined that, at least for the present, no Archdiocesan assignment can be entrusted to Reverend Jose Ignacio Ugarte. It is also necessary under current circumstances for there to be a clear sign that Reverend Jose Ignacio Ugarte is not authorized to act in a formal priestly capacity in the public ministry of the Archdiocese. Given these facts, I hereby decree the following:

- 1) The faculties of the Archdiocese of Los Angeles which were heretofore entrusted to the Reverend Jose Ignacio Ugarte are hereby revoked in accord with the provisions of canon 142, §1. This reflects the fact that the cause for which those faculties were initially extended (i.e., an Archdiocesan assignment) has ceased and there is no longer any need for the authority of those faculties.
- 2) Furthermore, in accord with canon 764, I hereby revoke the faculty to preach of Reverend Jose Ignacio Ugarte since this authority is likewise no longer needed for the service of the People of God in Los Angeles.

It is my hope that the circumstances that have led to this action will be able to be remedied. Should that come to pass, new faculties for priestly ministry will be extended to Reverend Jose Ignacio Ugarte.

This revocation is effective immediately and is to be communicated in writing to the Reverend Jose Ignacio Ugarte.

Given at the Curia of the Archdiocese of Los Angeles this ____ day of _____ in the Year of Our Lord 1994.

Cardinal Roger M. Mahony
Archbishop of Los Angeles

Chancellor/Vice-Chancellor

Archdiocesan Seal

195171

ST. BEDE THE VENERABLE

215 FOOTHILL BLVD. • P.O. BOX 809 • LA CAÑADA FLINTRIDGE, CA 91012-0809 • 818 790-5155 • FAX 818 790-9520

MEMORANDUM

To: Cardinal Roger Mahony
From: Msgr. [REDACTED]
Re: Rev. Jose Ugarte.

Your Eminence:

I am pleased to give you my input in this unfortunate matter involving Fr. Jose Ugarte.

The key issue of course is whether or not an attempt was made to celebrate the Sacrament of Reconciliation. If in fact the incident involving Mr. [REDACTED] was something else, then Canon 1378 is not applicable.

As is the case in all matters having to do with penalties, any applicable law is subject to the narrowest interpretation. (Canon 18) In the matter before us, there needs to be moral certitude that Mr. [REDACTED] did in fact approach Fr. Ugarte in ordine ad sacramentum.

Even if Fr. Ugarte's credibility is in question, Mr. [REDACTED] is not. He is unable to say with any conviction or clarity: "Yes, I approached Fr. Ugarte for the purpose of celebrating the Sacrament of Reconciliation", or "After talking with Fr. Ugarte I decided that I wanted to approach the Sacrament". On the contrary, Mr. [REDACTED] merely surmises from the words and actions of Fr. Ugarte that he had been given the absolution he did not request. (cf. Summary of hearing, I) With regard to the involvement of the penitent in the Sacrament of Reconciliation the Roman Ritual reads in part:

"The parts penitents themselves play in the celebration of the Sacrament are of the greatest importance. When with the proper dispositions they approach this saving remedy instituted by Christ and confess their sins, their own acts become part of the Sacrament itself, which is completed when the words of absolution are spoken by the minister in the name of Christ".

There was clearly not this kind of involvement on the part of Mr. [REDACTED]. Therefore, it cannot be reasonably concluded that he approached Fr. Ugarte with Reconciliation in mind. For that reason, I believe the penalty was not incurred.

Even if the Sacrament was celebrated, there remains the further

195137

consideration of Fr. Ugarte's mental health. I am not privy to any psychological reports on Fr. Ugarte. Given that he spent some time at St. Luke's Institute, it is safe to assume some history of psychological disturbances. His advocate also believes this to be the case. While the law presumes imputability whenever an external violation of the law has occurred, (C.1321#3) nevertheless, this is a presumptio legis and will yield to contrary proofs. This may be the case with respect to Fr. Ugarte's presumed imputability. In that case the doctrine of Canon 1324#1,2&10 would be applicable:

"One who violates a law or precept is not exempt from a penalty but the penalty set by law or precept must be tempered or a penance substituted in its place in the offence was committed:

2: by a person who lacked the use of reason due to drunkenness or another similar mental disturbance which was culpable;

10: by one who acted without full imputability provided there was no grave culpability.

In other words, if these factors are operative, a latae sententiae penalty is not incurred. This may well be the case of Fr. Ugarte.

I would concur with Fr. REDACTED suggestion that a more appropriate ecclesial response would be to employ the remedy provided in Canon 1044 #2.2. There would seem to be ample cause to declare Fr. Ugarte impeded from exercising Orders due to a psychic defect.

I hope these comments will be helpful to you in this regrettable matter.

Respectfully submitted

REDACTED

REDACTED REDACTED

THANK YOU

Merci Beaucoup


DANKE SCHÖN

MUCHAS GRACIAS

Craig:

This is a copy of what I sent to Roger on the
Ugarte matter.

Have a nappy new year.



ST. BEDE THE VENERABLE

La Cañada

195131

XXXIII 000018

ST. BEDE THE VENERABLE

215 FOOTHILL BLVD. • P.O. BOX 809 • LA CANADA FLINTRIDGE, CA 91012-0809 • 818 790-5155 • FAX 818 790-9520

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195132

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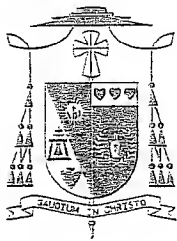
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Respectfully submitted

REDACTED

REDACTED REDACTED



**Diocese of San Bernardino
Office of the Bishop**

August 23, 1994

His Eminence Roger Cardinal Mahony
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015-1194

Your Eminence:

This is to authorize your delegates either Reverend Monsignor Craig Cox or Reverend Monsignor Timothy Dwyer to be in the Diocese of San Bernardino for canonical process concerning Reverend Jose I. Urgate (Canon 1469.2). Reverend Urgate is a member of the presbyterate in the Archdiocese of Los Angeles, who is on administrative leave and living in Big Bear, California which is located in the Diocese of San Bernardino.

I give my permission for either Monsignor Dwyer or Monsignor Craig to interview and procure the testimony of Reverend [REDACTED]. This interview may take place at St. Joseph Parish in Big Bear.

Please keep me informed of the status of Reverend Jose I. Urgate if he remains in residency in this diocese.

If I can be of any assistance with this matter, do not hesitate to contact me. With every best wish, I am

Sincerely yours in Christ,

+ Phillip F. Straling

Most Reverend Phillip F. Straling
Bishop, Diocese of San Bernardino

PFS/jm

195080

"Dios nos ama"



REDACTED

"Sí, estoy dispuesto"

REDACTED

195030

ST. BEDE THE VENERABLE

215 FOOTHILL BLVD. • P.O. BOX 809 • LA CAÑADA FLINTRIDGE, CA 91012-0809 • 818 790-5155 • FAX 818 790-9520

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195015

XXXIII 000026

consideration of Fr. Ugarte's mental health. I am not privy to any psychological reports on Fr. Ugarte. Given that he spent some time at St. Luke's Institute, it is safe to assume some history of psychological disturbances. His advocate also believes this to be the case. While the law presumes imputability whenever an external violation of the law has occurred, (C.1321#3) nevertheless, this is a presumptio legis and will yield to contrary proofs. This may be the case with respect to Fr. Ugarte's presumed imputability. In that case the doctrine of Canon 1324#1,2&10 would be applicable:

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Respectfully submitted

REDACTED

REDACTED REDACTED

195016

XXXIII 000027



MEMORANDUM
CONFIDENTIAL

TO: CARDINAL ROGER MAHONY
FROM: BISHOP GABINO ZAVALA *93*
RE: REV. JOSE I. UGARTE
DATE: JANUARY 4, 1996

In determining whether or not Rev. José I. Ugarte violated Canon 1378, I would agree with Rev. Ugarte's advocate, Rev. [REDACTED] J.C.L. that the credibility of the people involved must be assessed. I have an advantage in this regard because I know both parties. I have known Rev. José I. Ugarte over the years. Also, as the former Rector of St. John's Seminary, I know Mr. [REDACTED] very well.

Mr. [REDACTED] is a man of integrity and honesty. He has testified that he understood the words and actions of Rev. Ugarte to be within the context of sacramental confession with the imposition of hands and the use of the words, "I forgive you your sins." There is no evidence to impugn his testimony.

On the other hand, Rev. Ugarte's account of the incident, as well as his lack of compliance to any and all precepts, raises concern as to this credibility. He has made numerous promises, taken oaths, entered into agreements and has not been true to his word. I would disagree with Rev. [REDACTED] that one must accept his last version of events because it was taken under oath. Rev. Ugarte has not demonstrated by his words and actions that an oath would make a difference. I am also in disagreement with Rev. Ugarte's distinction between

195017

Cardinal Roger Mahony
Re: Ugarte/Orozco

January 4, 1996
Page 2

"promesa" and a "juramento." For a Hispanic, one's word is sacred no matter how it is given.

My perception is that this is a case where Rev. Ugarte, after prayer and reflection, realized the seriousness of the situation and nuanced his story accordingly.

As to Rev. [REDACTED] argument that Rev. Ugarte's psychological disturbance might mitigate his culpability in the issues surrounding his credibility, I would submit that, although I believe there are serious concerns. I am not in a position to determine how seriously disturbed he is.

My best thinking on the evidence presented would believe me to believe that Rev. Ugarte did indeed violate Canon 1378.

195018

XXXIII 000029

Rev. [REDACTED]

Reverend [REDACTED]
[REDACTED]
[REDACTED] California [REDACTED]
[REDACTED]

December 17, 1995

His Eminence, Roger Cardinal Mahony
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015-1194

Re: Rev. Jose Ugarte

Your Eminence:

This letter responds to your letters of November 22, 1995 to Rev. Jose Ugarte and myself in which you informed us that the penal process initiated some time ago was going forward due to Father Ugarte's failure to move forward and implement the negotiation offer proposed by me and accepted by you shortly after the initial hearing on this matter on December 8, 1994. Please allow this letter to constitute the argument on behalf of Father Ugarte which you invited in your recent letter.

The issue before you, as I understand it, is whether Father Ugarte violated canon 977, thereby incurring the automatic penalty of excommunication as set forth in canon 1378, §1. Commencing my argument, then, with that issue, allow me to make the following points. In order for the penalty to have been incurred, it seems to me that at least three things must have happened. First, the priest must have the at least the indicia of faculties to hear the confession. It is my understanding that Father Ugarte did have those faculties, or at least the suppletory appearance of those faculties. Second, the exception set forth in canon 977 may not be in place, which is to say that the penitent may not be in danger of death, in which case the absolution is both licit and valid. Again, it is quite clear that the Mr. [REDACTED] was not in danger of death in this case. Third, the offense, in this case the absolution of Mr. [REDACTED] must have been committed. It is at this juncture that we find ourselves in the same position as on December 8, 1994 when you first heard this matter.

As I argued then, there is a clear discrepancy between Mr. [REDACTED] testimony and Father Ugarte's testimony of December 8, 1994. Father Ugarte denies emphatically any attempt to extend sacramental absolution while Mr. [REDACTED] testifies that he understood the "prayer" offered by Father Ugarte to be absolution. Several things must be said about this discrepancy. The credibility of the witnesses must be assessed. Father Ugarte's testimony, which differs in some respects from earlier testimony offered by him in this matter. Since the testimony of December 8, 1994 was given under oath, it should be given priority as to other testimonies offered by Father Ugarte which were not given under oath. As to the other issues surrounding the credibility of Father Ugarte's testimony, I can only point to the history of psychological disturbances from which Father Ugarte clearly suffers and of which the Archdiocese of Los Angeles is more than aware since diversion to one facility was accomplished through the auspices of the Archdiocese in the discharge of its duties to Mr. [REDACTED] and Father Ugarte.

Since I have not met Mr. [REDACTED], I cannot fairly comment on his credibility other than to point out that the mere use of the words "I forgive you your sins" although close to a sacramental formula does not conform to the full context of the sacrament. Penitents usually present themselves for the sacrament of reconciliation either face to face or in the

195019

His Eminence, Roger Cardinal Mahony
December 17, 1995
Page 2

confessional at the appointed time. Indeed, from the standpoint of pastoral practice, confessors do not make the approach. Did Mr. [REDACTED] make such an approach? Is there evidence of such an approach to Father Ugarte on the part of Mr. [REDACTED]? I make this point in order to suggest that just as Father Ugarte is adamant in his denial that the absolution ever took place so can Mr. [REDACTED] be confused about the situation, particularly from the vantage point of hindsight.

Further, Father Ugarte's alleged insistence that Mr. [REDACTED] keep their behavior secret may have confused Mr. [REDACTED] and created the color of the sacrament of penance. Still, there is no showing of the requisite mens rea coupled with actus reus which when taken together could constitute an offense for which a penalty could be incurred.

Finally, given the information provided to me by your office and Father Ugarte himself, it seems clear to me that at best their might be a simulated sacrament and that the norm of 1379 would then be more applicable to this situation. I would go even further and suggest that the more appropriate ecclesial response would be to initiate a process to declare Father Ugarte impeded from the exercise of orders due to the state of his mental health. As a practical matter, the people are protected, Father Ugarte is properly protected, and the difficulty of a declared penalty is avoided. Father Ugarte's faculties could then be withdrawn legitimately and in a manner consonant with his condition.

I suggesting the above, I do not mean to argue that you or anyone in your position should subvert the truth. On the contrary, I argue that the truth is broader than any particular act and that in this case the truth is not readily available to reasonable minds with the degree of moral certainty requisite for the declaration of the penalty of excommunication.

As to the final requests set forth in your letter to me of November 22, 1995, I can say that I have written to Father Ugarte and asked that he consider the negotiated resolution which I mentioned to your office. I have repeatedly left messages on his answering machine. He has only called me back two time. On both occasions he left messages on my voice mail, despite the fact that I have repeatedly given him the best times to call. He has never responded to my correspondence with him. As his advocate, this has been frustrating, as you can well imagine. However, it also has convinced me that Father Ugarte is a very ill man. While I do understand and support the need of ecclesiastical authority to be vigilant, especially where the care of souls is concerned, I do not think that Father Ugarte has formed the requisite mens rea. Indeed, I do not think he has the capacity to form it as I understand it, given his inability and unwillingness to cooperate with church authority, his incapacity to see the full dimensions of his behavior and its impact on others, and his continuing lack of cooperation with those interested in his well-being from yourself to his physicians to me.

Thanking you for the opportunity to be of service in this and other matters, I remain,

Sincerely yours in Christ,

/s
[REDACTED]

195020

CONFIDENTIAL

TO: Monsignor Timothy Dyer
Vicar For Clergy of the
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, CA 90015

FROM: [REDACTED]

RE: Fr. Jose L Ugarte

DATE: April 3, 1993

This is a formal complaint of sexual abuse and harassment committed by Father Jose L. Ugarte. As you have been aware of, I have been in therapy with Dr. [REDACTED] since November 19, 1992; and was referred to her by my Spiritual Director [REDACTED]

I have been in therapy regarding the sexual abuse and harassment perpetrated on me by Fr. Jose L. Ugarte. Please be aware that I am not filing this formal complaint out of a desire for revenge, but rather from concern for other possible victims.

The abuse began in September of 1983 when I was seventeen years old. It began one day when Father Ugarte and I drove to a mountain retreat house in preparation for a retreat in which other youth ministers were also going to take part in. He said he was going a day in advance to make preparations and invited me to go along with him. After driving down the winding roads of Big Bear Lake on the way to the retreat house, we stopped, parked, and stood by a stream to take a break. He then gave me a hug and kissed me as if I were a woman. I quickly turned around and pushed him away. He asked for forgiveness but I did not say anything. I just walked towards the car and away from him feeling dirty, confused, angry, deceived, and with a desire to burst in tears.

We arrived at the cabin and he opened the water and gas gauges, checked the refrigerator, and the quantity of food that was on the cabinets above the kitchen table. I felt very nervous because I did not know what else to expect. He said he was tired and invited me to take a nap to which I refused. About ten minutes later he came out of the room and lay down on the sofa. As I stood looking at the pictures on the walls he reached out and fondled me. I felt very nervous and walked away from him pretending to be interested in something.

After some more casual conversation he got up and pulled me to the bedroom to take a nap. He went to lie down on the bed after taking his shoes off. I did not want to lie down so I walked around the room entertaining all kinds of conversation. I asked him a question about women hoping to stir him away from any more advances upon which he exposed

194848

XXXIII 000037

CONFIDENTIAL
JOSE UGARTE

himself and forced me to show him mine. Within minutes he was on top of me rubbing his genitals on mine as if he were having sex.

I sincerely confess that I did not once seek sexual gratification from him, but was accosted even followed by him. With the same story that it would not happen again if I just complied one more time, he forced me to have sex with him in the rectory of St. Mathias where he was stationed at the time, in a retreat cabin in Big Bear Lake, in a hotel, and even in a mobile home in Rosarito, Tijuana, that someone loaned him. What really confused me was the fact that after he took advantage of me, he would place his hand on my forehead and give me a prayer of absolution. While I felt forgiven by God, I still felt dirty. When I told him that this was very wrong and I did not want to do it anymore because I feared I would be condemned in hell, he always responded that when we go to Heaven God would laugh at these silly games, because that was what they were simply games.


I resisted his advances many times even to the point of leaving him standing in front of other people when he invited me "out". I stormed out of the community house where I was staying after he began fondling me as I lay in the bed in my room. Another time when he had recently arrived at Pius X Church he invited me to visit him, introduced me to his pastor and then as we walked into his room to pick up a letter he had written for me, he began to caress me upon which I ran out of his patio door and jumped the fence. One time in Tijuana while another altar boy slept on his left and I on his right, he began to fondle my genitals upon which I got out of the bed disgusted and slept on the floor despite his pleads to climb back on the bed. Another time in the cabin in Big Bear Lake I got out and roamed around until he cooled off when he, myself and ^{REDACTED} were taking an afternoon nap in his room.

Father Jose Ugarte is a very charismatic and much loved priest in the Hispanic community and people would never suspect of any wrongdoing in his actions. Therefore, it was difficult for me to conceive that I was right and he was wrong in his actions. Although he was careful never to kiss any altar boy or teenage youth minister in the mouth in front of parents, he did it freely in front of other teenagers or altar boys. I suspect he continues this habit which I consider to be unhealthy for others as well as for himself.

His exploitation has lowered my self-esteem, given me tremendous guilt, a distrust of people, and difficulty with my sense of identity in that I doubted my masculinity.

194849

XXXIII 000038


To 

Date 6-29 Time 11:55

While You Were Out


M Fr. Jose Ugarte

of _____

Phone 

AREA CODE	NUMBER	EXTENSION
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL <input type="checkbox"/>		

Message Mr. & Mrs. Reger would
like to be present
at their wedding
Thursday June 30 at 5:00
with love

Operator 

CARDINAL 4C200

194839



June 30, 1994
2:00pm

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

June 15, 1994

Rev. Jose I. Ugarte
P O Box 853
Big Bear City, CA 92314

Dear Father Ugarte:

Having received your June 7 letter regarding an appointment with the Cardinal, he has asked me once again to direct you to call his priest-secretary, Monsignor [REDACTED], to set up an appointment. He would like to see you before the end of this month.

You may reach Monsignor [REDACTED] during the week at (213) [REDACTED].

May God bless you.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

cc: Monsignor [REDACTED] ✓
[REDACTED]

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Replacement of crossed out sentence on page 2

"Yes, I will always do what the Church asks of me, I will always obey my archbishop" and "No, I will never turn anyone away from my door who needs counsel, I will always serve as a priest. For that is the will of the Lord." He gave no indication that he was aware of the contradiction in what he was saying.

194804

XXXIII 000041

- June 30, 1994
2:00



MEMORANDUM

TO: Cardinal Roger Mahony
Msgr. Tim Dyer
FROM: [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 28 June 1994

As requested, here is a brief schema for one part of your conversation with Fr. Ugarte on Thursday. I am sure there are a number of other items you also want to discuss with him.

1. The present file contains some acknowledgement on his part of activities with [REDACTED]. Fr. Ugarte has been informed of the claim that he attempted to impart absolution to [REDACTED]. I do not see that he has formally admitted that he did this. The file contains a memo dated April 12, 1993, concerning a meeting of April 10, in which Fr. Ugarte stated, "I did make those mistakes" when informed of all the behaviors described. He did not take issue with the claim he imparted absolution. His admission remains somewhat vague. Also, in the report of St. Luke's Institute of May 11 (page 2) the absolution along with the sexual behavior is mentioned with the comment that Father Ugarte "does not deny" the allegations. Canonically, a failure to deny does not constitute a confession. Father Ugarte needs to be asked more specifically about this question of the absolution.
2. I suggest approaching that topic indirectly at first. You want to clarify a number of aspects of his behavior over the years. After describing to him the testimony we have of his sexual involvement and absolution of [REDACTED] (from the original letter of [REDACTED]), ask Fr. Ugarte if that testimony is accurate. If he says yes to the description in general, then some questions specifically focusing on the absolution.

If Fr. Ugarte admits having attempted to give absolution:

1. In this circumstance, Fr. Ugarte should be informed that this is an extremely serious matter. He should also be informed that as a result he incurred the automatic excommunication of canon 1378, §1. This excommunication is reserved to the Holy See.
2. Given the seriousness of this abuse of the sacrament of penance, you feel it is your responsibility to formally declare the existence of the excommunication and then refer the matter to Rome for a definitive ruling and counsel on how to proceed further.
3. He should be invited to choose a canonical advocate to represent him in this matter specifically as well as in the other matters at issue.

If Fr. Ugarte denies or equivocates about giving absolution:

1. In this circumstance, Fr. Ugarte should be informed that the serious nature of this requires that you investigate the matter more fully.
2. You will begin to examine that immediately, with the intention of referring the matter to Rome at the appropriate time. He should be invited to choose an advocate.

194805

XXXIII 000042

Cardinal

I realize this is a rather
thick packet of materials to read
through - now that you have
just returned. If you are
able to get through it, it
will be helpful for tomorrow's
2pm mtg. with Ugarte.

[REDACTED] said [REDACTED] + I
could meet with you at 1:45
We'll bring in a proposed
outline for the meeting.

Peace,

Toni

194774

XXXIII 000044

AGREEMENT BETWEEN CARDINAL ROGER MAHONY, ARCHBISHOP OF LOS ANGELES
AND REVEREND JOSE I. UGARTE

Introduction:

At the time this agreement is entered, Reverend Jose I. Ugarte is an incardinated priest of the Archdiocese of Los Angeles who has no ecclesiastical office. The faculties of Father Ugarte were revoked in a decree dated March 17, 1994. No recourse was taken against that revocation. In addition, a precept was imposed on Reverend Ugarte on July 30, 1994, enjoining him from a number of specific activities.

Agreement:

I, Reverend Jose I. Ugarte, agree to:

- 1) Leave the United States and take up permanent residence in Spain no later than September 30, 1995.
- 2) Not to return to the United States without the express and written authorization of the Archbishop of Los Angeles for a period of seven years, ending September 15, 2002.
- 3) After September 15, 2002, not to return to the Archdiocese of Los Angeles without the express written authorization of the Archbishop of Los Angeles.
- 4) To conduct no public or private ministry in Spain other than a Mass at home for immediate members of my family, complying fully with the restrictions on any public ministry involved in the decree revoking my faculties of March 17, 1994, and the precept of July 30, 1994.
- 5) To report to Reverend Monsignor [REDACTED] Vicar General of the Diocese of Vitoria in Spain, for regular supervision.
- 6) To maintain contact with Bishop Jose Maria Larrauri Lafuente, of the Diocese of Vitoria in Spain, and abide by any further directions he may issue.
- 7) To secure employment in a secular occupation in order to become self-supporting.

I, Cardinal Roger M. Mahony, Archbishop of Los Angeles, agree to:

- 1) Close the penal procedure initiated by my decree of July 19, 1994, without any formal declaration that the penalty of excommunication was incurred.

- 2) Write the Congregation for the Doctrine of the Faith, reporting on the situation and this agreement and asking that, in light of this agreement, the Congregation remit the censure of excommunication insofar as it might have been incurred.
- 3) Continue to keep Reverend Jose I. Ugarte on the medical insurance plan of the Archdiocese of Los Angeles indefinitely.
- 4) Provide Reverend Jose I. Ugarte with a monthly stipend of \$400 beginning with the calendar month immediately following the signing of this agreement through December 1996. After that time, no further stipend will be provided, and Father Ugarte will be expected to support himself.
- 5) To inform Bishop Jose Maria Larrauri Lafuente of the Diocese of Vitoria of the status of Father Ugarte, of the terms of this agreement, seeking his assistance in monitoring that its provisions are fulfilled.

The terms of this agreement are fully binding and can only be modified by a mutual and written agreement between Father Ugarte and the Archbishop of Los Angeles. Should Father Ugarte fail to abide by its provisions, that failure shall be deemed a violation of his obligation of priestly obedience (canon 273) and will subject him to the possibility of ecclesiastical penalties under the provision of canon 1371-(2).

Rev. Jose I. Ugarte

Date

Cardinal Roger M. Mahony

Date

Witness

Date

Witness

Date

Revised
8/2

**Agreement between Cardinal Roger Mahony, Archbishop of Los Angeles
and Reverend Jose I. Ugarte**

Introduction:

At the time this agreement is entered, Reverend Jose I. Ugarte is an incardinated priest of the Archdiocese of Los Angeles who has no ecclesiastical office. The faculties of Father Ugarte were revoked in a decree dated March 17, 1994. No recourse was taken against that revocation. In addition, a precept was imposed on Reverend Ugarte on July 30, 1994, enjoining him from a number of specific activities.

Agreement:

I, Reverend Jose I. Ugarte, agree to:

- 1) Leave the United States and take up permanent residence in _____, Spain, no later than September 30, 1995.
- 2) Not to return to the United States without the express and written authorization of the Archbishop of Los Angeles for a period of seven years, ending September 15, 2002.
- 3) After September 15, 2002, not to return to the Archdiocese of Los Angeles without the express written authorization of the Archbishop of Los Angeles.
- 4) To conduct no public or private ministry in Spain other than a Mass at home for immediate members of my family, complying fully with the restrictions on any public ministry involved in the decree revoking my faculties of March 17, 1994, and the precept of July 30, 1994.
- 5) To report to Reverend _____ of the _____ Diocese in _____, Spain, ~~for~~ *for regular supervision.*
- 6) To maintain contact with Bishop _____, of the Diocese of _____, and abide by any further directions he may issue.
- 7) To secure employment in a secular occupation in order to become self-supporting.

I, Cardinal Roger M. Mahony, Archbishop of Los Angeles, agree to:

- 1) Close the penal procedure initiated by my decree of July 19, 1994, without any formal declaration that the penalty of excommunication was incurred.
- 2) Write the Congregation for the Doctrine of the Faith, reporting on the situation and this agreement and asking that, in light of this agreement, that the Congregation remit the censure of excommunication insofar as it might have been incurred.

194705

3) Continue to keep Reverend Jose I. Ugarte REDACTED
REDACTED

4) Provide Reverend Jose I. Ugarte with a monthly stipend of \$400.00 from the date of *beginning into the*
~~this agreement through December 1996~~ *abandon* After that time, no further stipend will be *months*
provided and Father Ugarte will be expected to support himself. *to 2.*
The signing

5) To inform Bishop _____ of the Diocese of VICTORIA, of the *of this*
status of Father Ugarte, of the terms of this agreement, seeking his assistance in *agreed*
monitoring that its provisions are fulfilled. *through*
December
1996

The terms of this agreement are fully binding and can only be modified by a mutual and
written agreement between Father Ugarte and the REDACTED. Should
Father Ugarte fail to abide by its provisions, that failure shall be deemed a violation of his
obligation of priestly obedience (canon 273) and will subject him to the possibility of
ecclesiastical penalties under the provision of canon 1371, 2°.

Rev. Jose I. Ugarte

REDACTED

Witness

Witness

ST. BEDE THE VENERABLE

215 FOOTHILL BLVD. • P.O. BOX 809 • LA CAÑADA FLINTRIDGE, CA 91012-0809 • 818 790-5155 • FAX 818 790-9520

MEMORANDUM

To: Cardinal Roger Mahony
 From: Msgr. [REDACTED]
 Re: Rev. Jose Ugarte.

Your Eminence:

I am pleased to give you my input in this unfortunate matter involving Fr. Jose Ugarte.

The key issue of course is whether or not an attempt was made to celebrate the Sacrament of Reconciliation. If in fact the incident involving Mr. [REDACTED] was something else, then Canon 1378 is not applicable.

As is the case in all matters having to do with penalties, any applicable law is subject to the narrowest interpretation. (Canon 18) In the matter before us, there needs to be moral certitude that Mr. [REDACTED] did in fact approach Fr. Ugarte in ordine ad sacramentum.

Even if Fr. Ugarte's credibility is in question, Mr. [REDACTED] is not. He is unable to say with any conviction or clarity: "Yes, I approached Fr. Ugarte for the purpose of celebrating the Sacrament of Reconciliation", or "After talking with Fr. Ugarte I decided that I wanted to approach the Sacrament". On the contrary, Mr. [REDACTED] merely surmises from the words and actions of Fr. Ugarte that he had been given the absolution he did not request. (cf. Summary of hearing, I) With regard to the involvement of the penitent in the Sacrament of Reconciliation the Roman Ritual reads in part:

"The parts penitents themselves play in the celebration of the Sacrament are of the greatest importance. When with the proper dispositions they approach this saving remedy instituted by Christ and confess their sins, their own acts become part of the Sacrament itself, which is completed when the words of absolution are spoken by the minister in the name of Christ".

There was clearly not this kind of involvement on the part of Mr. [REDACTED]. Therefore, it cannot be reasonably concluded that he approached Fr. Ugarte with Reconciliation in mind. For that reason, I believe the penalty was not incurred.

Even if the Sacrament was celebrated, there remains the further

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consideration of Fr. Ugarte's mental health. I am not privy to any psychological reports on Fr. Ugarte. Given that he spent some time at St. Luke's Institute, it is safe to assume some history of psychological disturbances. His advocate also believes this to be the case. While the law presumes imputability whenever an external violation of the law has occurred, (C.1321#3) nevertheless, this is a presumptio legis and will yield to contrary proofs. This may be the case with respect to Fr. Ugarte's presumed imputability. In that case the doctrine of Canon 1324#1,2&10 would be applicable:

"One who violates a law or precept is not exempt from a penalty but the penalty set by law or precept must be tempered or a penance substituted in its place in the offence was committed:

2: by a person who lacked the use of reason due to drunkenness or another similar mental disturbance which was culpable;

10: by one who acted without full imputability provided there was no grave culpability.

In other words, if these factors are operative, a latae sententiae penalty is not incurred. This may well be the case of Fr. Ugarte.

I would concur with Fr. REDACTED suggestion that a more appropriate ecclesial response would be to employ the remedy provided in Canon 1044 #2.2. There would seem to be ample cause to declare Fr. Ugarte impeded from exercising Orders due to a psychic defect.

I hope these comments will be helpful to you in this regrettable matter.

Respectfully submitted

REDACTED

REDACTED

REDACTED

P 054 289 651
 REDACTED
RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1984-446-014
 PS Form 3800, Feb. 1982

Sent to Rev. Jose Ugarte	
Street and No. REDACTED	
Postage	\$.55
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	1.65
TOTAL Postage and Fees	\$ 3.30
Postmark or Date E.O. 2/10/82 T.M.E. 1.48 PM	

194678

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST-CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article. **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

194679

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery

3. Article Addressed to: Rev. Jose Ugarte	4. Article Number P 054 289 651
REDACTED	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
REDACTED	Always obtain signature of addressee or agent and DATE DELIVERED 8. Addressee's Address (ONLY if requested and fee paid)
X 7. Date of Delivery	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

194680

XXXIII 000053

**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

CARDINAL ROGER MAHONY

1531 WEST NINTH ST

LOS ANGELES CA 90015



194681

XXXIII 000054

CLERGY DATABASE

Last: Ugarte

Title: Rev.

First: Jose

Middle: I.

Color **Blue**

04/09/93 Sick Leave. Supposedly signed into Mater Dolorosa Retreat House
 04/14/93. Msgr. [REDACTED] checking and it is hard to tell if he has gone to Mater
 Dolorosa or not. However airline tickets for St. Luke's (one-way) are being sent
 to him there 04/24/93. 11/02/93 Returning from St. Luke's but not to ministry..
 Will be living in Big Bear and is to give us an address. 03/25/94 address is
 [REDACTED] Phone (916) [REDACTED].

07/30/95 Cardinal sent letter to Ugarte enclosing "proposed agreement" to be
 signed by him and Cardinal. For purposes of this desk: If agreement is signed as
 is (highly unlikely) then Ugarte is to be kept on RETA "indefinitely", a stipend
 of \$400 per month is to be implemented for him from first calendar month after
 agreement date THROUGH DECEMBER 1996. (Agreement calls for his return to Spain
 not to come back without written authorization of Cardinal Archbishop here for
 seven years and after that (2002) only with such written authorization. Status
 Per Msgr. Loomis all benefits for Jose Ugarte ceased on 02/20/96. COBRA was
 offered to him on 03/07/96.

*3/4/99 Father [REDACTED] from the Canonical
 Services Office, took his two files.*

Priests.db Browse 1 Record found
PRIMARY SCREEN

Last Ugarte Title Rev. First Jose Middle I.
Birthplace Spain Delica (Alava) Year 1941 DOB 7/29/41 Age
Ordained 71 Seminary St. John, Camarillo, CA
Order Incardinated X Diocese
Diocesan Religious Living/Working Inactive X Rite
Institution Assigned 93
Address1 Address2
City State Zip Country
Home Work Private FAX
Status Inactive-Leave REDACTED
Comment DO NOT GIVE OUT:

Date Entered 11/18/93 Date Assigned 11/01/93
Deanery 0 Title3 Father Title4(Dean) Salutation Jose
Will X Retired in Rectory C X SS# REDACTED

Appointments

St. Thomas, Los Angeles - Associate 06/14/71
_ Find _ Add _ Modify _ Remove _ Sort _ Output _ Layout _ Define _ Zoom

Priests.db Browse 1 Record found
City State Zip Country
Home Work Private FAX
Status Inactive-Leave REDACTED
Comment DO NOT GIVE OUT:

Date Entered 11/18/93 Date Assigned 11/01/93
Deanery 0 Title3 Father Title4(Dean) Salutation Jose
Will X Retired in Rectory C X SS# REDACTED

Appointments

St. Thomas, Los Angeles - Associate 06/14/71
Santa Clara, Oxnard - Associate 06/16/75
Presentation, Los Angeles - Associate 02/10/79
St. Matthias, Huntington Park - Associate 07/09/83
St. Pius X, Santa Fe Springs - Associate 09/21/87
Sick Leave - 04/10/93
Inactive Leave - 11/01/93

_ Find _ Add _ Modify _ Remove _ Sort _ Output _ Layout _ Define _ Zoom

Priests.db Browse 1 Record found
City State Zip Country
Home Work Private FAX
Status Inactive-Leave REDACTED
Comment DO NOT GIVE OUT:

1. REDACTED

2. REDACTED

3. Católico

4. Yo pude verificar su identificación a través de su licencia de manejar.

5. Yo conocí al Padre Ugarte en una misa dominical en la parroquia de San Pio X en Santa Fe Springs en el mes de enero del 1989.

6. El P. Ugarte mantiene residencia actualmente en Big Bear.

7. Estoy enterado de esto a través del testimonio de otros y a través de mi propia experiencia. Fui a visitarlo en las montañas en el '94 y enero '95 y 2 o 3 otras veces.

8. El P. Ugarte ha vivido en Big Bear desde su regreso de la parte este del país.

9. Sí.

10. Sí.

11. El P. Ugarte ha seguido dirigiendo retiros para los jóvenes y grupos de parejas jóvenes casadas de la parroquia de San Pio X. También sirve de director de los líderes del grupo juvenil.

12. Yo sé de esto por el testimonio de los jóvenes.

13. No.

14. Sí. The grupo members have continued to visit him.

15. REDACTED REDACTED San Pio X
 REDACTED San Pio X
 San Pio X
 San Pio X
 San Pio X
 Presentation
 Presentation
 Presentation

16. En lo personal, él no me ha tratado con intimidación, pero otros han experimentado su intimidación a través de su ejercicio de profecías.

17. El grupo de ujieres de St. Pius X ha estado colectando dinero para el P. Ugarte. REDACTED yo sé de dos fechas exactas de retiros que se llevaron a cabo en su casa (20-22 de enero; y 1-2 de julio, 1995); sin embargo, hubo otras ocasiones, pero desconozco las fechas.
 El P. Ugarte quizás no estuvo dirigiendo al grupo, pero no cabe duda que él seguía guiando a los líderes de los jóvenes y a los "Tres Grandes".

(These are individuals who have been the original persons following Fr. Ugarte, working with him at Presentation Parish.)

REDACTED)

*Will be in Denver
Monday evening
Aug. 25*

St. John's Seminary
Camarillo, California 93010
Estados Unidos
15 de agosto de 1969

REDACTED

Vitoria, Alava, E s p a ñ a

REDACTED

Encabeza esta carta la dirección del seminario del cual soy REDACTED
Sin embargo, esta carta se escribe desde Roma, donde asisto a la
Asamblea General de la Congregación de la Misión.

El Decano de nuestro Seminario escribe diciendo que un joven lla-
mado José Ignacio Ugarte, que abandonó el seminario en 1966, ha
solicitado se le admita en St. John's Seminary, en calidad de Se-
minarista de la Archidiócesis de los Angeles.

Escribo pues, para preguntar qué recomienda REDACTED , con res-
pecto a este joven, de modo que pueda yo saber si hemos de admitir-
le o no. De acuerdo con la práctica habitual, en casos como éste,
la respuesta de REDACTED se mantendrá confidencial.

Tenga a bien REDACTED darme a conocer si se le eliminó del se-
minario, o por el contrario lo abandonó él libremente. Caso de ha-
bersele eliminado, tenga la bondad de comunicarme la razón que mo-
vió a ello, y si cree REDACTED que no debiera admitírsele en
otro seminario.

Por supuesto, nos interesa el juicio de REDACTED , en lo que ata-
ñe a las cualidades personales del candidato, y si le cree apto pa-
ra el Sacerdocio.

Agradeceremos mucho una respuesta por correo aéreo, pues la deci-
sión que haya de tomarse con respecto al Seminarista ha de ser rá-
pida. Abandonaré Roma dentro de unos días, por lo que ruego a REDACTED
REDACTED tenga la amabilidad de dirigirme sus observaciones a Cali-
fornia por correo aéreo.

Agradezco profundamente a REDACTED . su ayuda en este asunto, y
le deseo todo bien.

Soy de REDACTED . afmo. en Cristo

REDACTED

UGARTE

St. John's Seminary
Camarillo, California 93010
Estados Unidos
15 August 1969

REDACTED

Diocesan Seminary de San Prudencio
y San Ignacio
Vitoria, Alava, Spain

REDACTED ;

You have seen above the address of the diocesan seminary of which I am REDACTED. However, this letter is being written from Rome, where I am attending the General Assembly of the Congregation of the Mission.

The Dean of our seminary has written to say that a young man named JOSE IGNACIO UGARTE, who left the seminary in 1966, has applied for admission to St. John's Seminary as a student for the Archdiocese of Los Angeles.

So that I may know whether he should be received by us or not, I am writing to ask what is your recommendation concerning this young man. Following the usual practice in such matters, your reply will be kept in confidence.

Please let me know whether he was dismissed from your seminary, or whether he left of his own free will. If he was dismissed, kindly let me know the reason for the dismissal, and whether you think he should not be accepted in another seminary.

Of course we are interested in your judgment concerning his personal qualities, and whether you believe that he is a suitable candidate for the Priesthood.

Your replying by air mail will be deeply appreciated, because a decision concerning the student must be made soon. I shall be leaving Rome within the next few days, and therefore ask that you kindly send your comments to me in California by air mail.

Thanking you for your kind assistance in this matter, I remain, with every best wish,

Yours sincerely in Christ.

25470

REDACTED

EDACTED

UGARTE

St. John's Seminary
Camarillo, California 93010
Estados Unidos
15 August 1969

REDACTED

Diocesan Seminary de San Prudencio
y San Ignacio
Vitoria, Alava, Spain

REDACTED

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Thanking you for your kind assistance in this matter, I remain, with every best wish,

Yours sincerely in Christ,

194657

REDACTED REDACTED

REDACTED
*Will be in Denver
 Monday evening
 Aug. 25*

St. John's Seminary
 Camarillo, California 93010
 Estados Unidos
 15 de agosto de 1969

Rmo. Rector
 Seminario Diocesano de San Prudencio y San Ignacio
 Vitoria, Alava, España

REDACTED Padre:

Encabeza esta carta la dirección del seminario del cual REDACTED . Sin embargo, esta carta se escribe desde Roma, donde asistí a la Asamblea General de la Congregación de la Misión.

El Decano de nuestro Seminario escribe diciendo que un joven llamado José Ignacio Ugarte, que abandonó el seminario en 1966, ha solicitado se le admita en St. John's Seminary, en calidad de Seminarista de la Archidiócesis de los Angeles.

Escribo pues, para preguntar qué recomienda REDACTED , con respecto a este joven, de modo que pueda yo saber si hemos de admitirle o no. De acuerdo con la práctica habitual, en casos como éste, la respuesta de Vtra. Rvcia. se mantendrá confidencial.

Tenga a bien REDACTED , darme a conocer si se le eliminó del seminario, o por el contrario lo abandonó él libremente. Caso de habersele eliminado, tenga la bondad de comunicarme la razón que motivó a ello, y si cree REDACTED que no debiera admitírsele en otro seminario.

Por supuesto, nos interesa el juicio de REDACTED en lo que atañe a las cualidades personales del candidato, y si le cree apto para el Sacerdocio.

Agradeceremos mucho una respuesta por correo aéreo, pues la decisión que haya de tomarse con respecto al Seminarista ha de ser rápida. Abandonaré Roma dentro de unos días, por lo que ruego a REDACTED tenga la amabilidad de dirigirme sus observaciones a California por correo aéreo.

Agradezco profundamente a REDACTED su ayuda en este asunto, y le deseo todo bien.

Soy de REDACTED afmo. en Cristo

194658

REDACTED REDACTED

Ugarte
Major +
Minor Orders

27 November 1970

The Most Reverend Timothy Manning, D. D.
 Archbishop of Los Angeles
 1531 West Ninth Street
 Los Angeles, California 90015

Dear Archbishop Manning:

Enclosed is the petition from JOSE IGNACIO UGARTE for promotion to First Tonsure and all of the Minor Orders.

With it are the petitions for the Major Orders of Subdiaconate and Diaconate.

Mr. Ugarte is the seminarian from Spain about whom I spoke with you at Camarillo a short time ago. He is in Fourth Theology, and at a recent faculty meeting was unanimously approved by the faculty for advancement to all of the above Orders. The vote by secret ballot was 10 favorable.

If Your Excellency sees fit to approve this recommendation, I shall appreciate your issuing the call to Orders for Mr. Ugarte. He is scheduled to receive Tonsure on December 7, and First Minor Orders at Mass the following morning. Your Excellency is scheduled to officiate for both ceremonies.

Because there is some division of opinion concerning the time of Mr. Ugarte's promotion to the Priesthood, I shall wait until you are at St. John's a week from now to discuss this with you. The written record can then be supplied for the permanent files.

With every best wish to Your Excellency, and commending the seminary to your prayers, I am

Respectfully yours in Christ,

Very Rev. ~~_____~~
~~_____~~

Enclosures (3)

P. S. - The divided opinion concerning Mr. Ugarte concerns not his character, but only how long he should serve as a deacon--

25467

JOSE I. UGARTE

He is the seminarian who was born in Spain. He belongs to St. Alphonsus parish and has worked there for 2 or 3 summers.

As is obvious, he knows Spanish and can be placed in a Spanish-speaking parish.

He has had some experience in CFM and Cursillo work.

Conflicting views on him have been expressed:

- a) that he is mature and independent, and would work best if given freedom to work without too much restriction.
- b) that he is headstrong and stubborn, and a little too sure of himself; he needs a prudent pastor who can handle him.

I believe that there are correct elements in both of the above.

I think Jose inclines not to take too seriously at times rules or regulations that are set down --- perhaps an attitude somewhat akin to that allegedly characterizing drivers in Italy.

Hence my recommendation that an effort be made to place him with a man who will not be afraid to direct him if he seems to ignore what is expected of him, or of priests in general ---- but who will not be upset if Jose tends to manifest initiative, or not to be on the ball in every little detail.

Jose has expressed a preference for working among the Spanish-speaking in East Los Angeles.

REDACTED
REDACTED

5-21-71

25468

XXXIII 000065

JOSE I. UGARTE

REDACTED

?

Spanish

Mature, independent, would probably work best if given freedom to work without too much restriction

Headstrong, stubborn, a little too sure of himself. Not suited for English-speaking parish. But will need a prudent pastor who can handle him

Maybe English-speaking parish to start

Spanish parish. Competent. Experience in CFM and Cursillo. Prefers east L. A.

Spanish-speaking

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REDACTED
REDACTED

5-21-71

194655

XXXIII 000067

JOSE I. UGARTE

REDACTED

?

Spanish

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Maybe English-speaking parish to start

Spanish parish. Competent. Experience in CFM and Cursillo. Prefers east L. A.

Spanish-speaking

194656

XXXIII 000068

REDACTED

REDACTED

File

REDACTED

January 30, 1985

Reverend Jose Ignacio Ugarte
St. Matthias Church
7125 Mission Place
Huntington Park, California 90255

Re: REDACTED
v. Ugarte

Dear Reverend Ugarte:

Enclosed, please find the original transcript of your deposition, taken December 7, 1984. As we discussed on that date, please read through your testimony and see if there are any changes or corrections to the transcript which to make. If you do make any changes, please mark them on a separate sheet of paper listing the page and line number as well as the corection.

Once you have completed reviewing the transcript, please sign and date it in the appropriate spaces on page 22, and return it along with any corrections you may have made to me in the enclosed self addressed stamped envelope.

Please feel free to contact me at any time should you have questions regarding this review and verification procedure. As this case progresses, you may be assured that I will keep you advised of all future developments occurring.

Very truly yours,
REDACTED

REDACTED

Encl

cc: REDACTED

REDACTED

25273

XXXIII 000069

MEMORANDUM

DATE: July 15, 1987
FROM: MSGR. THOMAS CURRY
TO: Archbishop Mahony
RE: Rev. Jose Ugarte

I spoke to Father Ugarte today. The files indicate an involvement with a minor in 1976. He assured me there had been absolutely no repeat of this and that there was no chance that it would happen again.

Since there was drinking involved at that time, I asked him about his drinking and he said he does not drink or smoke.

I also cautioned him about putting himself in a position where he could even be accused of such an incident again. I told him not to have minors in the rectory in his room, to go on vacation with them, or put himself in any position in which he could be compromised.

He assured me that he would not.



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
(213) 251-3284

August 12, 1987

Rev. Jose Ugarte
St. Matthias Church
Huntington Park, CA 90255

Dear Father Ugarte:


I very much appreciate your coming to see me this past month. In speaking to Archbishop Mahony, he asked me to contact you and ask you to put the substance of our conversation in a letter either to me or to him.

Accordingly, may I please request that you write a letter stating that there has been no repeat of any incident similar to the 1976 one we discussed, that you do not place yourself in positions where such incidents could occur, i.e., that you are not alone with minors, vacation with them or have them in you living quarters, etc. Also would you confirm the fact that you do not drink alcohol.

I realize this is a very sensitive matter and appreciate your cooperation. Please be assured that your letter will remain confidential and will be accessible only to the Archbishop and the Vicar for Clergy.

Please do not hesitate to call me if you have any questions on this matter.

Yours sincerely in Christ,


(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

CONFIDENTIAL

See material in
envelope as well.

The files do not
indicate that the
letter requested in
Mog-Curry's letter
of August 12, 1987
was ever written.

Return for
replacement
in C file -
James

REDACTED

Pius X Church
10827 S. Pioneer Blvd.
Santa Fe Springs, 90670
Febrero 16, de 1993

Rev. José Ugarte,

La presente me sirve para desahogarme de una gran herida que siento en mi corazón y por la cual lucho por conservar mi fe en mi mismo y en Dios.

Le ha de extrañar mucho el que yo le escriba pero después que lea lo siguiente se dará cuenta el porqué de esta carta. Usted me ha herido no solo moralmente sino sicológica, y espiritualmente por haber abusado sexualmente de mi durante esos años de mi juventud.

Usted me dijo que me quería y que era como un padre para mi y yo tenía una imagen buena de usted pero la misma se fue manchando con su idolatría de la confianza que yo le brindé. Puse en usted toda mi confianza, mis sentimientos, y pensamientos más íntimos pero resiento mucho su abuso de autoridad y el secreto de su abuso no lo he podido llevar "a la tumba" como me lo aconsejó usted sin sentirme traicionado y muy confundido sobre mi orientación sexual. Gracias a Dios he obtenido ayuda sicológica la cual ha logrado quitarme un poco de la mancha de culpabilidad que su abuso me ha causado.

Ha sido bien difícil para mi reconciliar el hecho de que por un lado predicaba usted a un Dios de amor y reconciliación y por otra parte destruía mi inocencia con sus abusos sexuales. En mi juventud yo buscaba a alguien en quien apoyarme para descubrir lo que Dios quería para mi en esta vida. En usted encontré ese refugio pues reafirmaba mis pasos, me enseñaba a aceptar mis fallas y a tener más confianza en mi mismo. No había hombre en la tierra que yo admirara tanto como a usted. Le consideraba un hombre no solo muy sabio sino amante del pueblo de Dios.

Deposité mi confianza total en usted y me engaño friamente. No ha sido hasta años después que me he dado cuenta del profundo daño que me hizo. Si yo hubiera sabido que detras de esas palabras suaves y personalidad religiosa había un homosexual que solo buscaba los medios de satisfacer sus carnales deseos, jamás me hubiera acercado a usted.

Me duele mucho pensar que haya hecho lo mismo, o este violando sexualmente a otras personas como me violó a mi. Ahora que veo todo claro exigo en nombre de Dios a quien usted profesa servirle que recapacite y se de cuenta de la gravedad de sus acciones.

Creo firmemente que usted me debe una disculpa y la espero para así continuar con mi vida aunque esta herida la llevaré dentro de mi ser todos los años de mi vida. No me llame ni me busque porque no deseo hablar con usted. Espero su disculpa por escrito a la presente dirección.

Sin Mas, REDACTED

Is your RETURN ADDRESS completed on the reverse side?

SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult Postmaster for fee.	
(3) Article Addressed to: Jose I Ugarte Pius X Church 10827 S. Pioneer Blvd. Santa Fe Springs, CA 90670		(4a) Article Number P 419 563 967	
5. Signature (Addressee) 6. Signature (Agent)		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
7. Date of Delivery 9/23/91		8. Addressee's Address (Only if requested and fee is paid)	

PS Form 3811, December 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

CONFIDENTIAL

TO: Monsignor Timothy Dyer
Vicar For Clergy of the
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, CA 90015

FROM: [REDACTED]

RE: Fr. Jose I. Ugarte

DATE: April 3, 1993

This is a formal complaint of sexual abuse and harassment committed by Father Jose I. Ugarte. As you have been aware of, I have been in therapy with Dr. [REDACTED] since November 19, 1992; and was referred to her by my Spiritual Director Fr. [REDACTED]

I have been in therapy regarding the sexual abuse and harassment perpetrated on me by Fr. Jose I. Ugarte. Please be aware that I am not filing this formal complaint out of a desire for revenge, but rather from concern for other possible victims.

The abuse began in September of 1983 when I was seventeen years old. It began one day when Father Ugarte and I drove to a mountain retreat house in preparation for a retreat in which other youth ministers were also going to take part in. He said he was going a day in advance to make preparations and invited me to go along with him. After driving down the winding roads of Big Bear Lake on the way to the retreat house, we stopped, parked, and stood by a stream to take a break. He then gave me a hug and kissed me as if I were a woman. I quickly turned around and pushed him away. He asked for forgiveness but I did not say anything. I just walked towards the car and away from him feeling dirty, confused, angry, deceived, and with a desire to burst in tears.

We arrived at the cabin and he opened the water and gas gauges, checked the refrigerator, and the quantity of food that was on the cabinets above the kitchen table. I felt very nervous because I did not know what else to expect. He said he was tired and invited me to take a nap to which I refused. About ten minutes later he came out of the room and lay down on the sofa. As I stood looking at the pictures on the walls he reached out and fondled me. I felt very nervous and walked away from him pretending to be interested in something.

After some more casual conversation he got up and pulled me to the bedroom to take a nap. He went to lie down on the bed after taking his shoes off. I did not want to lie down so I walked around the room entertaining all kinds of conversation. I asked him a question about women hoping to stir him away from any more advances upon which he exposed

195024

CONFIDENTIAL
JOSE UGARTE

himself and forced me to show him mine. Within minutes he was on top of me rubbing his genitals on mine as if he were having sex.

I sincerely confess that I did not once seek sexual gratification from him, but was accosted even followed by him. With the same story that it would not happen again if I just complied one more time, he forced me to have sex with him in the rectory of St. Mathias where he was stationed at the time, in a retreat cabin in Big Bear Lake, in a hotel, and even in a mobile home in Rosarito, Tijuana, that someone loaned him. What really confused me was the fact that after he took advantage of me, he would place his hand on my forehead and give me a prayer of absolution. While I felt forgiven by God, I still felt dirty. When I told him that this was very wrong and I did not want to do it anymore because I feared I would be condemned in hell, he always responded that when we go to Heaven God would laugh at these silly games, because that was what they were simply games.

I resisted his advances many times even to the point of leaving him standing in front of other people when he invited me "out". I stormed out of the community house where I was staying after he began fondling me as I lay in the bed in my room. Another time when he had recently arrived at Pius X Church he invited me to visit him, introduced me to his pastor and then as we walked into his room to pick up a letter he had written for me, he began to caress me upon which I ran out of his patio door and jumped the fence. One time in Tijuana while another altar boy slept on his left and I on his right, he began to fondle my genitals upon which I got out of the bed disgusted and slept on the floor despite his pleads to climb back on the bed. Another time in the cabin in Big Bear Lake I got out and roamed around until he cooled off when he, myself and ^{REDACTED} were taking an afternoon nap in his room.

Father Jose Ugarte is a very charismatic and much loved priest in the Hispanic community and people would never suspect of any wrongdoing in his actions. Therefore, it was difficult for me to conceive that I was right and he was wrong in his actions. Although he was careful never to kiss any altar boy or teenage youth minister in the mouth in front of parents, he did it freely in front of other teenagers or altar boys. I suspect he continues this habit which I consider to be unhealthy for others as well as for himself.

His exploitation has lowered my self-esteem, given me tremendous guilt, a distrust of people, and difficulty with my sense of identity in that I doubted my masculinity.

195025

XXXIII 000087

CONFIDENTIAL

MEMORANDUM

DATE: April 12, 1993
FROM: Msgr. Dyer
TO: C File
RE: Rev. Jose Ugarte

Notes from meeting of Msgr. Dyer, Fr. Ugarte, Msgr. [REDACTED] on
april 10, 1993:

Msgr. Dyer noted incident in '77(?) and then report from
seminarian [REDACTED]. Father Ugarte seemed ready for
the topic. Msgr. [REDACTED] read Luis Orozco's letter aloud.
Father Ugarte listened intently, nodded--

"I was having a difficult time in those years, formed a
covenant community of 7 older people, we meet every
Thursday, they pray for me. I did make those mistakes.
He comes from a tremendously dysfunctional family, but I am
responsible for my actions, I must pay. This was very
painful for me, very painful. And I feel very bad about
the damage to this young man, a fine young man."

Father Ugarte became very defensive about [REDACTED]' age: "He
was 18 I am sure, he had to be 18 to be a group leader, maybe
he's lying...". Concerning the incidents in the 70's
with a definite minor, he said, "I never drink but I got
drunk then and, well, you knowhow it is."

Father Ugarte matter-of-factly agreed to move immediately
to Mater Dolorosa and to go to treatment. When asked how
he felt: "I can handle this...and more."



E. J. Ugarte

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

April 14, 1993

Rev. Jose Ugarte
c/o Mater Dolorosa Retreat House
700 North Sunnyside Avenue
P.O. Box 68
Sierra Madre, CA 91025

*never received.
He did not
show at*

Dear Father Ugarte:

Just a note to let you know you will be receiving in the mail at Mater Dolorosa your plane ticket for trip to St. Luke Institute.

Flight information is: Leave LAX Sunday, April 18, 12:25 PM on Delta Airlines Flight #810

Arrive National Airport in Washington, D.C. at 9:55 P.M. their time.

There will be someone to pick you up at the airport to take you to the Institute.

Please do not hesitate to call me if you have any questions about this. Monsignor Dyer is out of town at this time.

I am sorry it was impossible at such short notice to get you an earlier flight out of Los Angeles that day. But I have spoken with St. Luke's and they have confirmed they can meet the late flight.

In case something goes awry and you need to take a cab, the address is St. Luke Institute, 2421 Brooks Drive, Suitland, Maryland. I believe it is about twenty minutes from the airport by cab.

Sincerely yours,

[REDACTED]
Exec. Asst. to
Vicar for Clergy

cc: Rev. Msgr. **[REDACTED]**

Jose Ugarte
CONFIDENTIAL

MEMORANDUM

April 19, 1993

TO: Cardinal Mahony
FROM: Father Timothy Dyer
RE: Fr. Jose Ugarte

Attached is the background information I have sent to St. Luke's Institute where Fr. Jose Ugarte is undergoing a 10-day evaluation -- beginning today.

I have already requested that Fr. Ugarte be accepted into the Institute following the evaluation, but that will depend on their waiting list.

I will keep you informed.

Please keep me informed -
+ RMD

4-19-93



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

FAX TO: [REDACTED]

April 20, 1993

CONFIDENTIAL

Ms. [REDACTED]
St. Luke Institute
2420 Brooks Drive
Suitland MD 20746

Dear Ms. [REDACTED]:

Attached you will find three items with reference to the case of Rev. Jose Ugarte:

- (1) Summary of alleged sexual misconduct with a minor in 1977, with updating addendum at bottom;
- (2) Letter from [REDACTED] to me of April 3, 1993 regarding Father Ugarte;
- (3) Notes from meeting with Father Ugarte regarding [REDACTED] allegations (held on April 10, 1993).

Please do not hesitate to contact me if you need further information at this time or have any questions about the attached. My number here at the office is (213) [REDACTED] and at home it is (213) [REDACTED].

With thanks for your help and patience, I remain

Sincerely yours,

Timothy J. Dyer

(Rev.) Timothy J. Dyer
Vicar for Clergy

25259



Saint Luke Institute

April 29, 1993

Confidential

Reverend Monsignor Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 West 9th Street
Los Angeles, CA 90015-1194

Re: Reverend Jose Ugarte
SLI No: 12737

Dear Monsignor Dyer:

This brief note is to inform you that Father Ugarte has been officially admitted to the Saint Luke Institute inpatient program.

Father Ugarte's individual therapist during his treatment here is [REDACTED], MA, MDiv. Mr. [REDACTED] will write you monthly to apprise you of Father Ugarte's progress during his time here at Saint Luke's.

Please be assured of our prayers for you and the important ministry of service you undertake on behalf of Christ's Church.

Sincerely,

Curtis C. Bryant, SJ, PhD
Director, Inpatient Clinical Services

[REDACTED], MD
Medical Director and
Vice-President for Medical Affairs

BB/ng
cc: Reverend Jose Ugarte

COPY

C F Jose Ugarte

MEMORANDUM

DATE: April 30, 1993

TO: [REDACTED]

FROM: Lois

RE: Rev. Jose I. Ugarte

EFFECTIVE MAY 1, 1993:

As of May 1, 1993 Rev. Jose I. Ugarte goes on **Sick Leave** and Archdiocese becomes source of salary and is responsible for his **RETA** premiums.

C Jose Ugarte

COPY

MEMORANDUM

DATE: April 30, 1993

TO: [redacted] - Payroll

FROM: [redacted] - Office of Vicar for Clergy

RE: Rev. Jose I. Ugarte

EFFECTIVE MAY 1, 1993:

Please add Rev. Jose I. Ugarte to your Priests Payroll
(Sick Leave).

Base:	\$400.00
Increment:	44.00
In lieu:	<u>250.00</u>
Total:	\$694.00

Checks to:

Rev. Jose I. Ugarte
St. Luke Institute
2421 Brooks Drive
Suitland, Maryland 20746-5294

S.S. # [redacted]

For W-2 purposes Father Ugarte was formerly at St. Pius X Parish,
Santa Fe Springs.

Thanks

**CONFIDENTIAL**

MEMORANDUM

DATE: April 30, 1993

TO: Cardinal Mahony

FROM: Monsignor Timothy Dyer TD.

RE: Rev. Jose I. Ugarte

I spoke yesterday to Dr. [REDACTED], Evaluation Director at St. Luke Institute, regarding Father Jose Ugarte.

The recommendation has been made for in-patient treatment, and St. Luke's was able to accept him immediately into the program.

We will be receiving the evaluation report within ten days.

As to the situation at St. Pius X, Father [REDACTED] and Father [REDACTED] are covering the Masses there, and Father [REDACTED] is in the Open Placement Process seeking a replacement for Father Ugarte.

*Joe - Thanks -
+ RMM*

5-3-93



COPY
Jose Ugarte

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

April 30, 1993

Rev. Jose Ugarte
St. Luke Institute
2421 Brooks Drive
Suitland, Maryland 20756-5294

Dear Jose:

I received word this week that St. Luke's can accept you into its residential treatment program immediately, and I am writing to send my support for you in this situation.

I know this is a most difficult and challenging therapeutic process, but it is one that I have learned from experience has yielded good results for many who have taken part in it. There will be decisions to be made as regards future ministry, and those, too, may prove difficult; but I will work with you and support you in every way I can during the months ahead.

At approximately the mid-point of your stay there, I will come back to visit you in order to review your program and to bring you the Cardinal's decisions regarding your future.

Meantime, I would like to know whether there are particular priests in the Archdiocese whom I might contact on your behalf, to tell them that you are on Sick Leave. I would then advise them that if they wish to write you, they can do so through my office, and we will forward their unopened letters to you, so that you will receive mail while you are away from home.

If there is anything I can send you or get for you at any time, please call me at home--[REDACTED]--or write to me, since I will do all I can to be of assistance.

May God bless you.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

/lbm

25247



ST. PIUS X RECTORY

10827 SOUTH PIONEER BLVD.
SANTA FE SPRINGS, CA. 90670
(213) 863-8734

April 30, 1993

Msgr. Tim Dyer
Vicar of Clergy
ARCHDIOCESE OF LOS ANGELES
1531 West Ninth Street
Los Angeles, California 90015

Dear Msgr. Dyer,

Per your telephone instruction, I am enclosing
a check payable to:

Fr. Jose-Ignacio Ugarte
(Check #651 - \$690.00)

I believe you will find it in order, if I can
be of any further assistance, I will be happy to comply.

Sincerely yours,

(Msgr.)

ESB

Encl: (1)

25246

XXXIII 000108



COPY

Archdiocese of Los AngelesOffice of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

May 13, 1993


Rev. Jose Ugarte
St. Luke Institute
2420 Brooks Drive
Suitland, Maryland 20746-5294

Dear Father Ugarte:


Enclosed is your salary check for April, 1993, which was mailed to us by the parish.

Your check for May and subsequent ones will be mailed to you directly by way of the Archdiocesan Payroll Department.

Sincerely yours,


Exec. Asst. to
Vicar for Clergy

Enclosure

651		18-86 1220	
ST. PIUS X CHURCH 10827 S. PIONEER BLVD. (213) 863-8734 SANTA FE SPRINGS, CA 90670		April 30, 1993	
PAY TO THE ORDER OF Fr. Jose-Ignacio Ugarte		\$690.00	
THE SUM 690 DOLLARS 00 CTS		DOLLARS	
 Bank of America <small>Norwalk Main Branch 0908 P.O. Box 59287 Norwalk, CA 90660</small>		REDACTED	
FOR Salary \$440. Mass Int/\$250		REDACTED	

REDACTED

MEMORANDUM

DATE: MAY 20, 1993
 FROM: REDACTED
 TO: _____
 RE: Rev. Jose Ugarte

REDACTED

possibly
 REDACTED
 REDACTED

REDACTED asked us to call Fr. Ugarte and tell him to contact REDACTED
 at REDACTED .

Apparently it regards an accident claim -- supposedly Father Ugarte left
 the scene of an accident.

Given the Comment Line of the db -- would St L permit us to contact him
 at this time?

5/24 *Spoke w. Fr. Ugarte - gave above*
message. REDACTED

Jose a gente
— call:
REDACTED
Cifer
REDACTED

we accident claim (that
he left scene of accident)

MEMORANDUM

DATE: May 28, 1993
FROM: Monsignor Dyer
TO: Cardinal Mahony
RE: Rev. Jose Ugarte

Attached is the initial evaluation of Father Ugarte
by St. Luke Institute.

*Thanks - let's keep following
this carefully -*

+ RMM

5-28-93

C-file

MEMORANDUMJuly 11, 1993

TO: Cardinal Mahony
 FROM: Father Timothy Dyer
 RE: Fr. Jose Ugarte

Msgr. [REDACTED] and I met with Fr. Ugarte at St. Luke's Institute on July 7th. We found him to have made good progress in his openness to disclosure. He has been sexually involved with three young men in addition to the original allegations. He is still in contact with two of the three young men and is willing to contact them and make amends. He says that two of them are now married and have continued to stay in contact with him on a friendly basis.

Fr. Ugarte is now completing the first third of his treatment. I told him that it was too early to give specific recommendations to you about his eventual status but that he must be prepared to face the fact that these are very serious matters and may mean an end to active ministry. He said he understood that and would put everything in God's hands. There may be a possibility of some kind of restricted chaplaincy to which he would be suited. Fr. Ugarte noted that he would like to be of any assistance he could to other Latino priests in the Archdiocese -- many of whom, he said -- were troubled and were finding inappropriate means to cope with the pressures of poor rectory situations and unsatisfactory ministry. While the desire to "start helping others" before one is very far into his own recovery is somewhat common, still -- it bears consideration, as I suspect a number of our externs are struggling with hidden lives.

yes

I suggest we return to visit Fr. Ugarte in late September after having received the progress reports at the two-thirds mark in his treatment.

Doul report -

+ R/M

7-13-93

**CONFIDENTIAL**

MEMORANDUM

TO: Msgr. Tim Dyer, Vicar for Clergy
FROM: [REDACTED], Associate Director, Hispanic Ministry
DATE: August 13, 1993
SUBJECT: Rev. Jose Ignacio Ugarte

Though I do not know the reason for his absence from the Archdiocese, the phone calls made by Father Jose Ignacio to members of his immediate past parish, St. Pius X in Santa Fe Springs, are facts I feel I ought to report to you. The individuals who have commented to me that Fr. Jose Ignacio has called all indicate that they feel that the conversations sound and feel so secret, and insist in asking me why Fr. Jose Ignacio left the Archdiocese.

For about six years I have been personally aware of the relationships that Fr. Jose Ignacio formed with the hispanic charismatic community at St. Pius X. At times the bonds were so strong that they had the appearance of quasi-domination. I am conscious that that term can mean many things to many people, but there were mixed elements of strong psychological power and an aggressive spirituality that seemed to spill over into humiliation and intimidation. I know of no case where any individual suffered lasting psychological effects, but I was approached by people who were near tears by conversations which they had just had with Fr. Jose Ignacio. Somehow or other, they appeared to surrender to him almost out of exhaustion.

When I first received word that Fr. Jose Ignacio had suddenly left the Archdiocese, I cannot think of any word other than relief to describe how I felt when I heard the news. About a month later I began to hear that he was calling from long distances but asked that the conversations be held without anyone else's knowledge.

I suppose you have to determine the relevance of this information I have shared with you. However, if I can help in any way with this, please let me know.

MEMORANDUMAugust 18, 1993

TO: Cardinal Mahony
FROM: Father Timothy Dyer
RE: Fr. Jose Ugarte

Attached is the latest report from St. Luke's Institute for Fr. Jose Ugarte.

I will be going to St. Luke's on September 30th -- at which time I will want to inform Fr. Ugarte of the Archdiocese' decision as regards future ministry. I have asked for a more detailed report, including "risk factors," prior to that meeting and, once I have received it, I will make some recommendations and discuss the matter with you.

25227

XXXIII 000116



COPY

 Archdiocese of Los Angeles

 Office of
 Vicar for Clergy
 (213) 251-3284

 1531
 West Ninth
 Street

 Los Angeles
 California
 90015-1194

August 19, 1993

Mr. [REDACTED]
 St. Luke Institute
 2420 Brooks Drive
 Suitland, Maryland 20746-5294

Dear Mr. [REDACTED]:

Attached you will find a memorandum which I received from the Associate Director for Hispanic Ministry in the Archdiocese, I felt that the information concerning Fr. Jose Ugarte might be a matter for your therapeutic discussions.

Msgr. [REDACTED] and I will look forward to seeing you and Fr. Ugarte on Thursday Sept. 30th.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
 Vicar for Clergy

MEMORANDUM**CONFIDENTIAL**September 16, 1993

TO: Cardinal Mahony
FROM: Father Timothy Dyer
RE: Fr. Jose Ugarte

Attached is the latest report on Fr. Jose Ugarte.

Msgr. [REDACTED] and I are due to see him at the end of this month (approximately two months before he completes his program) to give him a definitive answer to his status when he finishes the program. I would say that, unless we find significant changes, we are dealing with options "three" (several years outside ministry with poor prognosis) or "four" (departure from ministry and encouragement to seek laicization).

I concur - does not sound good.

+ RMD

9-20-93

Notes on meeting
about Jose Ugarte Sept 30, '93

imperturbability

- closed down / ~~regidity~~ rigidity + control yes
not curious about what makes him tick
- A proud man: ? offended, ashamed by his behavior
2) admitted to being a 'predator', but not
at the level others report

~~Jose said again for~~

Jose said to his small group that his risk of acting out
was low; to another patient he said it was
high; the group thinks it's high

If he's not at risk to act out sexually, he
definitely is at risk to manipulate + coerce

For the psychological + physical safety of the
~~rest~~ flock in L.A., he should pursue his
recovery away from Los Angeles.

discrepancy between his report + there is still great

Must be ready for anyone to know everything

'Hate being addict'

- Amands to victim.

Victim identity - passionate

25218

The way you describe yourself should be close
to the way others describe you

NOTES FROM REDACTED REDACTED ON MEETING ABOUT JOSE UGARTE SEPTEMBER 30, 1993 (received for typing late in November).

Imperturbability

Closed down/rigidity and control yes
Not curious about what makes him tick
A proud man: offended, ashamed by his behavior; admitted to being a "predator", but not at the level others report
Jose said to his small group that his risk of acting out was low; to another patient, he said it was high; the group thinks it is high.
If he is not at risk to act out sexually, he definitely is at risk to manipulate and coerce.

For the psychological and physical safety of the flock in Los Angeles, he should pursue his recovery away from Los Angeles.

Discrepancy between his report and theirs is still great.

Must be ready for anyone to know everything
"Hate being addict"
Victim identity - amends to victims - precious

The way you describe yourself should be close to the way others describe you.

Fr. Jose Ugarte

September 30, 1993

St. Luke Institute

Present: Fr. Jose Ugarte/Father Timothy Dyer/Father Terry Richey/[REDACTED] (St. Luke)

- imperturbable-high rating/not getting down to conversation
- he's home, nobody's opening the door
- for safety sake-door kept closed (re-call of [REDACTED]'s sexual touching-in bed when he was between 2-5 years of age)
- but this means less openness to the psycho-therapeutic process
- given [REDACTED] description, there is still a level of denial or lack of understanding of his predatory nature.
- fairly well convinced he's a sex addict
- has divulged new material (unable to say why he didn't tell us last time)
- very proud man and one advantage is that he's offended by his sexual acting out--doesn't take lightly the fact he has acted out (one area his imperturbability is not affecting him). Doesn't fit in with his idea of himself-as a priest. This bodes well for continued sobriety.
- He will say he was a predictor-toward the 15 year old in Mexico, [REDACTED] and the other 3 -- (not to extent [REDACTED] describes which is more the "raging bull") He has disclosed to his credit, that he stood over the boy-next-at night in underwear and asked if the boy would play with him, saw fright and masturbated the boy (this description matches what's in his file)
- Doesn't seem sexually preoccupied; I don't think he's at risk for acting out. Jose Told therapist and small group that he felt his risk for acting out is "low." However, a member of the small group reminded Jose that he'd (Jose) told him that he thought his risk level was "high" His peers are uncomfortable with the quality of his recovery (more so the therapist)--Therapist
- foundation for "victim empathy" in getting in touch with his own pain from the [REDACTED] intrusive sex
- can't expect personality change (e.g. [REDACTED] memo) -- dominating. Peers in group say they are fearful of saying negative things to Jose--they're not sure why--he appears to be at risk of using power, fear to manipulate weaker people.
- Level 3 sounds to [REDACTED] and [REDACTED] Also better Jose not be in Los Angeles for recovery work
- Some chance of maintaining sobriety (low to moderate risk) but no work of personality change in foreseeable future.
- trust with the bishop again will involve reaching a point where his description of self and behavior matches that of others (e.g. victims and therapists)

Reported by Dr. [REDACTED]

- big?? about his ability to empathize with victims--even after he's been told
- potential danger he poses: coming up against the hard core of his narcissism. A part of him that doesn't enter into treatment. A part of him he's very satisfied with and doesn't have any intention of changing--the manipulative side that is very charismatic

--I doubt he'll act out sexually (at least for a long long time)

--If restricted from ministry--hard to say what he'll do in relation to his people. If you're short of funds and without a job--with adoring friends..what will he do? He's got gifts and an addiction for adoring eye.

Reported by Fr. Terry Richey

--the reason for 3rd level: (Given to Jose)
potential for acting out sexually
potential for being a manipulative bully

Addition by Dr. [REDACTED]

Re: Your behavior in next 3-5 years: You may not function formally or informally as a priest in the Archdiocese with people in Los Angeles particularly former parishioners who are in no position to understand the decisions made by the Archdiocese in his regard/ Your behavior is what we'll judge by. Re-contact with them=direct arrow toward 4th level.



Saint Luke Institute

October 8, 1993

Confidential

Reverend Monsignor Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 West 9th Street
Los Angeles, CA 90015-1194

Re: Reverend José Ugarte
SLI #12737

Dear Monsignor Dyer:

We have decided to discharge Father Ugarte on November 2, 1993. At that time he will have been at the Saint Luke Institute just over six months. Essentially, he has realized the maximum benefit he can for this hospitalization. The remaining time in treatment will be used to reinforce his recovery work, express his thoughts and feelings relative to his level three status and make plans for the immediate future. We trust you will mail him a letter detailing your stipulations, and we anticipate a conference call during which Father Ugarte will make his plans known to you.

Sincerely,

[Redacted] MA, MDiv

[Redacted] MA, MDiv
Primary Therapist

[Redacted] PhD
Director, Inpatient Clinical Services

Frank Valcour
Frank Valcour, MD
Medical Director and Vice-President
for Medical Affairs

BB/bml

cc: Reverend José Ugarte



MEMORANDUM

CONFIDENTIAL

October 26, 1993

TO: CARDINAL MAHONY
 FROM: MONSIGNOR DYER
 RE: REV. JOSE UGARTE

Rev. Jose Ugarte has completed his therapy at St. Luke Institute and will return to Los Angeles on November 2. He has said that he will be living, at least for the time being, at a cabin in Big Bear he now owns with four other adults. He will plan to establish himself in 12-step groups in the Victorville area, and would like to begin therapy with Dr. [REDACTED] on a weekly basis.

Father Ugarte's status, based on the evaluations from St. Luke's, is similar to that of [REDACTED], i.e., three to five years outside ministry before any petition for re-entrance would be considered. It has been clearly stated to him that the chances of any return are not good.

[REDACTED] was given roughly \$28,500 upon his return to Los Angeles, and was later granted \$750 per month for a year.

I Concur || I would suggest that Father Ugarte be given \$15,000 for residence and establishing himself in independent living and \$10,000 toward purchase of a car, car insurance, gas, and maintenance. I would also suggest that he be allowed to apply for up to \$5000 for specific programs of retraining towards employment.

I Concur || In other words, I am suggesting a check for \$25,000 now, with the possibility of paying out another \$5000 for re-education. I would also suggest we continue to cover his therapy expense during the next three to five years and continue his RETA coverage for up to two years or until his own employment would render that unnecessary.

I Concur -

+ Rmk

10-29-93

25212

XXXIII 000124



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

October 26, 1993

Rev. Jose Ugarte
St. Luke Institute
2420 Brooks Drive
Suitland, Maryland 20746

Dear Father Ugarte:

Confirming our telephone conversation yesterday morning, I understand that you will be returning to Los Angeles on November 2, 1993, having completed your term of therapy at St. Luke Institute.

Based on evaluation reports from St. Luke's, the Cardinal has determined that you may not return to ministry at this time, and that future ministry for you in the Archdiocese remains doubtful. While the chances for your return to ministry are not good, the Cardinal has not, however, completely excluded that possibility, and he asks that you spend the next three to five years grounding yourself in a program of recovery that will be subject to verification by therapists, as well as by the support group to be formed as part of your aftercare contract with St. Luke's.

You heard the amounts I will propose to the Cardinal for your support, but I will await his final approval before confirming those exact amounts in writing. You continue under the Archdiocesan Health Plan at present, and you will begin a series of therapy sessions with Dr. [REDACTED], for which RETA and the Archdiocese will be financially responsible.

Finally, you mentioned you would want to be in contact with a canon lawyer regarding your situation, and I advised you that is certainly your right. If I can be of help in that regard, please do not hesitate to call on me.

I would ask that you contact me as soon as you return to Los Angeles, so that I can be of assistance to you in your transition.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

25211

COPY

MEMORANDUM

FC - Agente

DATE: October 29, 1993

TO: [REDACTED]

FROM: [REDACTED]

RE: Attached checks totaling \$220.00

Attached checks for \$160.00 and \$60.00 respectively represent refund of overpayment to a doctor.

Please credit to Acct. # [REDACTED]

Monsignor Dyer has endorsed them. Thanks.

REDACTED REDACTED	M.D., P.A.	7270
		NationsBank SUITLAND Suitland, MD 20746
		65-234/550
PAY <u>One hundred sixty dollars</u> DOLLARS		
TO THE ORDER OF REDACTED	DATE 10/19/93	CHECK NO. 7270
		AMOUNT 160.00
		REDACTED M.D., P.A.
<u>refund on Rev. Jose Ugarte's acct.</u> REDACTED		
REDACTED		

REDACTED REDACTED	M.D., P.A.	7266
		NationsBank SUITLAND Suitland, MD 20746
		65-234/550
PAY <u>sixty dollars</u> DOLLARS		
TO THE ORDER OF REDACTED	DATE 10/19/93	CHECK NO. 7266
		AMOUNT DOLLARS 60 CENTS 00
		REDACTED M.D., P.A.
<u>refund on</u> REDACTED <u>acct.</u> REDACTED		
REDACTED		

160
 60
 ———
 220

REDACTED

To _____

Date 11/1/93 Time _____

While You Were Out
REDACTED

M. _____

of _____

Phone _____

AREA CODE	NUMBER	EXTENSION
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	

☒ RETURNED YOUR CALL ☐

Message _____

Re. to the Uganda -
awaiting ticket from
St Luke to LAY -
Finishes tomorrow 11/2 -
[I'm like a sister]

Operator

CARDINAL 4C200

25207

XXXIII 000128

MEMORANDUM

DATE: November 1, 1993
FROM: [REDACTED]
TO: [REDACTED]
RE: Fr. Jose Ugarte

Father has called several times this afternoon. His is scheduled to leave St. L tomorrow.

Apparently Fr. Dyer spoke with him last week and told him that his return ticket had been taken care of.

To date, Father Ugarte has not received a ticket.

In case there has been a breakdown in communication, I called [REDACTED] and they can arrange for a ticket to be picked up at National Airport tomorrow (11/2) for Fr.U. They need to know ASAP. Tomorrow AM latest.

Father U left his number (301) [REDACTED] and said that we could leave a message. He was concerned because he will be tied up tomorrow with last minute interviews, etc. and it will be almost impossible for him to reach us or for us to call him.

SAINT LUKE INSTITUTE
2420 Brooks Drive
Suitland, MD 20746

CONTINUING CARE CONTRACT

Patient: José I. Ugarte

Saint Luke Institute:

REDACTED

Admission Date: 4-20-93

Discharge Date: 11-2-93

Primary Therapist: REDACTED

Admitting Physician: REDACTED

This contract is entered into freely between the undersigned, Reverend José I. Ugarte, and the Saint Luke Institute for a period of six months, beginning November 2, 1993 and ending May 2, 1994.

At the end of the six month period, the undersigned and his continuing care therapist shall review the terms of the contract and make any changes/revisions deemed necessary.

The terms of the contract are confidential and may be shared only with the expressed permission of the undersigned.

The contract was written by Father Jose I. Ugarte and approved by his therapist, REDACTED

As of this date, the terms of the contract are as follows:

A. PSYCHOSEXUAL HEALTH

1. I will avoid all circumstances and/or events that could lead me to sexual addiction.
2. I will guard against all such activities that may be a hindrance to my vow of celibacy.
3. I shall bond with SA and SLAA fellowship both inside and outside of the meetings. I will attend three Twelve Step meetings each week.
4. I shall keep in mind the continuing care practices of Saint Luke Institute.
5. I will get a sponsor by December 2, 1993.
6. I will see Dr. REDACTED. I will call him by December 2, 1993.

B. PHYSICAL HEALTH

1. I will walk three miles, five times a week.

Continuing Care Contract - Page 2
 Jose I. Ugarte REDACTED

2. I will monitor my weight weekly.
3. I will be in touch with my doctor regularly.
4. I will have my teeth examined and cleaned regularly.

C. EMOTIONAL AND INTRAPSYCHIC HEALTH

1. With the assistance of my sponsor and support groups, I will do all within my power to avoid secrets and to share my deepest feelings. I will make every effort to daily surrender my tendency to control and my tendency to be a perfectionist.
2. I will form new relationships with people in Twelve Step fellowships.
3. I will keep in touch with my Saint Luke Institute friends.

D. SPIRITUAL HEALTH

1. I will make the Eucharist the center of my spiritual life.
2. I will make time in my daily schedule for quality prayer and reflection.
3. I will get together on a weekly basis with my Covenant community to share and pray.
4. I will incorporate the Twelve Step spirituality into my daily life.
5. I already have a Spiritual Guide. I will meet with him monthly.

E. EMPLOYMENT

I am not ready to consider full-time work in the secular world yet. I must first talk with a canon lawyer in order to understand the full implications of my level three status with the Los Angeles archdiocese. I will talk with a canon lawyer by the end of November.

F. ACCOUNTABILITY

I shall be accountable to my sponsor in the Twelve Step program, to Dr. REDACTED to my support group membership, to my continuing care person and my Ordinary.

G. CONTINUING CARE

1. I will host a re-entry workshop for my support group and myself, to be chaired by REDACTED REDACTED, by November 23.

25380

Continuing Care Contract - Page 3
 Jose I. Ugarte #12737

2. I will select people to be members of my support group.
3. I will call my continuing care person weekly until the re-entry workshop.
4. I will share my budding signs and intimacy needs with Dr. [REDACTED], sponsor and support group.
5. I will attend the Continuing Care workshop at Saint Luke Institute every six months for three years and then four more at 12-month intervals.

Jose I. Ugarte
 Reverend Jose I. Ugarte
 Patient

11-1-93
 Date

[REDACTED] MA MDW
 [REDACTED], MA, MDiv
 Primary Therapist

11-1-93
 Date

[REDACTED] SJ, PhD
 Director, Inpatient Clinical Services

11-5-93
 Date

[REDACTED] MA, MDiv, CPC
 Coordinator, Continuing Care Services

11-9-93
 Date

Frank Valcour, MD
 Medical Director and
 Vice-President for Medical Affairs

11-15-93
 Date

[REDACTED]
 d&t 10-29-93

25381

XXXIII 000132

SAINT LUKE INSTITUTE
2420 Brooks Drive
Suitland, MD 20746

CONTINUING CARE CONTRACT

Patient: José I. Ugarte

Saint Luke Institute: REDACTED

Admission Date: 4-20-93

Discharge Date: 11-2-93

Primary Therapist: REDACTED

Admitting Physician: REDACTED

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The contract was written by Father Jose I. Ugarte and approved by his therapist, REDACTED

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3. I shall bond with SA and SLAA fellowship both inside and outside of the meetings. I will attend three Twelve Step meetings each week.
4. I shall keep in mind the continuing care practices of Saint Luke Institute.
5. I will get a sponsor by December 2, 1993.
6. I will see Dr. REDACTED I will call him by December 2, 1993.

B. PHYSICAL HEALTH

1. I will walk three miles, five times a week.

194771

Continuing Care Contract - Page 2
 Jose I. Ugarte REDACTED

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194772

Continuing Care Contract - Page 3
 Jose I. Ugarte #12737

2. I will select people to be members of my support group.
3. I will call my continuing care person weekly until the re-entry workshop.
4. I will share my budding signs and intimacy needs with Dr. [REDACTED], sponsor and support group.
5. I will attend the Continuing Care workshop at Saint Luke Institute every six months for three years and then four more at 12-month intervals.

Jose I. Ugarte
 Reverend Jose I. Ugarte
 Patient

11-1-93
 Date

[REDACTED] MA MDW
 [REDACTED], MA, MDiv
 Primary Therapist

11-1-93
 Date

[REDACTED] SJ, PhD
 Director, Inpatient Clinical Services

11-5-93
 Date

[REDACTED] MA, MDiv, CPC
 Coordinator, Continuing Care Services

11-9-93
 Date

Frank Valcour, MD
 Medical Director and
 Vice-President for Medical Affairs

11-15-93
 Date

d&t 10-29-93

194773

NOTES FOR LETTER OR DISCUSSION WITH JOSE UGARTE AFTER 11/2/93:

When we send letter telling him how much money he is going to get:

Want to include some of the things I said on the phone on 10/25--

Living at Big Bear without having made any commitment on the phone --when directly asked--about seeking employment would indicate a reliance on others and the Church to support yourself in the coming years.

The Caridnal is urging you to establish yourself as soon as possible with our help in an employment through which you can support yourself.

Given the damage you have caused to individuals and the strong influence you have over a number of parish communities at this time, we would take it as a clear sign that you were not living up to our expectations should you begin to involve yourself even indirectly in these communities in the coming years.

There is no perfmision for celebration of Mass in Big Bear in the presence of anyone. Keep in mind that is in another diocese, and we would have to notify that diocese should we have reports that you are ministering in any way as a priest.

Car situation?

COPY

MEMORANDUMDATE: November 10, 1993FROM: REDACTED _____

TO: _____

RE: Rev. Jose Ugarte

Please DO NOT mail Father Ugarte's check this month.
Give it to me instead.

Further instructions will reach you in time for December
payment if any.

Thanks



DRAFT

MEMORANDUM

November 20, 1993

TO: Cardinal Mahony
FROM: Father Timothy Dyer
RE: Fr. Jose Ugarte

*OK'D by Dr.
Bryant & retyped
in letterhead 11/30/93
for Cardinal*

Attached is the final report from St. Luke's Institute regarding Fr. Jose Ugarte. I have waited until its arrival to apprise you of our visit with him and his therapists on September 30th of this year.

At that time, Msgr. Richey and I met with Fr. [REDACTED], Ph.D. and [REDACTED], Ph.D. cand. to receive their individual assessments as Fr. Ugarte prepared to conclude his work at St. Luke's (Fr. [REDACTED] S.J. is the Director of Staff and Mr. [REDACTED] has been Fr. Ugarte's principal therapist.) Dr. [REDACTED] said that there is "a part of Fr. Ugarte that has never entered into therapy -- a part of him that he's very satisfied with and has no intention of changing. Mr. [REDACTED] described an "imperturbability" (which has been clinically measured as in the very high range) -- meaning, for example, that Fr. Ugarte is able to brush off the evaluation of his peers and unable to completely empathize with victims. In his peer group therapy Fr. Ugarte was told that he was at risk for acting out again -- a viewpoint he dismissed. According to both therapists, Fr. Ugarte does not yet understand his own "predatory nature" as regards sexual acting out, though he does accept the reality of being a sex addict -- in need of ongoing 12-step work. Mr. [REDACTED] cited Fr. Jose's description, while at St. Luke's, of his molestation of the 15-year-old Spanish boy whom he took to Mexico: Fr. Ugarte, in his underwear, stood over the boy and asked if the boy would "play with him"; he saw fright in the youngster's face and proceeded to masturbate him. (We have no idea where this young person is now -- as he was visiting from Spain and Fr. Ugarte, when asked, could furnish no information as to his whereabouts.)

Fr. Ugarte is described as a very proud man with a hard core of narcissism. On the one hand, his pride is offended by the knowledge that he is a sex addict and he does not take lightly the fact that he has acted out (this is one area where his imperturbability is not affecting him). This would seem to bode well for continued sexual sobriety. On the other hand, his narcissism engenders the satisfaction, mentioned above, with that part of himself which he has no intention of changing, i.e. his ability to manipulate people and encircle himself with devotees.

Both therapists think it unlikely that Fr. Ugarte will act out sexually in the near future. They do, however, note that there is potential danger for acting out and relate it to his deep need to be in a controlling relationship with adoring disciples in his former parishes. If able to re-

establish those relationships and distance himself from the painful confrontations of peers and therapists at St. Luke's, he stands in danger of returning to old habits (see paragraph 1, p 2 of the attached report). It was strongly recommended that, if Fr. Ugarte were placed in the "third level" (unlikely but possible return to ministry) he should spend the next three-to-five years away from Los Angeles.

Fr. [REDACTED] concluded our sessions by advising that Fr. Ugarte be clearly instructed that he may not function as a priest -- particularly, in his former parishes where people are in no position to understand the decisions made by the Archdiocese in his regard and that any re-contact with former parishioners would be seen by the Archdiocese as a direct arrow toward level four and permanent dismissal from the clerical state.

At last week's Open Hearing at Presentation parish, I experienced the power of Fr. Ugarte's charismatic appeal. Nearly 200 people attended -- 95% of whom recommended Fr. Ugarte return as pastor. The organization of lay leaders begun by Fr. Ugarte (during his 1979-'83 assignment) is still so strong that Fr. [REDACTED], who has been there as pro-tem administrator since July, will not apply for the parish because of their opposition to him. I must say there appears to be lot of good will and action generated through this network of lay leadership but the emphasis on "Fr. Ugarte" resembles a cult.

Fr. Ugarte promised to contact me after arriving here November 2nd to give me his address in Big Bear -- where he and four former parishioners of Presentation own a cabin. He has not contacted me as of this date. Last week, Fr. [REDACTED], formerly assigned to Pius X parish (where Fr. Ugarte was assigned from 9/87 to 4/93), informed me that Fr. Ugarte has contacted parishioners there who have been told not to tell the Archdiocese of this contact.

At this point, both Msgr. Richey and I are re-evaluating our recommendation for level three. I will wait until I get Fr. Ugarte's address and then make some recommendations for your use in writing to him to lay down the conditions of his present status. I believe I told you that in my phone conversation with Fr. Ugarte just before his Nov. 2nd departure, he told me that he could give me no assurance that he would look for employment upon his return and that he planned to seek a canonist who might act as his advocate. I will be in touch with Msgr. [REDACTED] or Fr. [REDACTED] before making recommendations for your letter.



MEMORANDUM

MEMORANDUM

TO: Msgr. Tim Dyer
FROM: [REDACTED]
DATE: November 30, 1993
SUBJECT: Fr. Jose Ignacio Ugarte

For your information, I have received several phone calls indicating that Fr. Jose Ignacio Ugarte is having a series of meetings in the mountains with some young people who consider themselves disciples of his.

The latest phone call I received is from a strong co-worker of Fr. [REDACTED] at St. Mathias. She asked that I not reveal her name. But what she indicated coincides with the other phone calls in the last week. The caller emphasized that the youth purposely do not inform the pastor of these meetings. Interestingly enough, the next mountain retreat meeting is on the weekend of December 11 and 12, a very active period with parish and archdiocesan Guadalupe events beginning from the evening of the 10th, and here Fr. Ugarte, if the allegations prove true, is pulling these young people away for the weekend.

Some of the other communications alleged that Fr. Ugarte was having masses at some homes in the Presentation parish community in southcentral, a previous assignment where he still has many strong supporters. These phone calls are not from people who know that Fr. Ugarte has no faculties, and are merely conversing with me about these matters because of their curiosity over the fact that he has no parish assignment.



MEMORANDUM **CONFIDENTIAL**

November 30, 1993

TO: CARDINAL MAHONY
FROM: MONSIGNOR DYER
RE: REV. JOSE UGARTE

Attached is the final report from St. Luke Institute regarding Father Jose Ugarte. I have waited until it arrived to apprise you of Monsignor Richey's and my visit with him and his therapists on September 30, 1993.

At that time, we met with Rev. [REDACTED], Ph.D. and [REDACTED] a Ph.D. candidate to receive their individual assessments as Father Ugarte prepared to conclude his work at St. Luke's. (Father [REDACTED], S.J., is the Director of Staff there, and Mr. [REDACTED] has been Father Ugarte's principal therapist.) Dr. [REDACTED] said that there is "a part of Father Ugarte that has never entered into therapy--a part of him that he is very satisfied with and has no intention of changing." Mr. [REDACTED] described an "imperturbability" (clinically measured as in the very high range), meaning, for example, that Father Ugarte is able to brush off the evaluations of his peers and unable to completely empathize with victims. In his peer group therapy, Father Ugarte was told that he was at risk for acting out again--a viewpoint he dismissed.

According to both therapists, Father Ugarte does not yet understand his own "predatory nature" as regards sexual acting out, although he does accept the reality of being a sex addict, in need of on-going 12-step work. Mr. [REDACTED] cited Father Ugarte's description, while at the Institute, of his molestation of the 15-year-old Spanish boy whom he took to Mexico: Father Ugarte, in his underwear, stood over the boy and asked if the boy would "play with him"; he saw fright in the youngster's face and proceeded to masturbate him. (We have no idea where this young person is now. He was visiting from Spain, and Father Ugarte, when asked, could furnish no information as to his whereabouts.)

Father Ugarte is described as a very proud man with a hard core of narcissism. On the one hand, his pride is offended by the knowledge that he is a sex addict, and he does not take lightly the fact that he has acted out. (This is one area where his imperturbability is not affecting him.) This would seem to bode well for continued sexual sobriety. On the other hand, his narcissism engenders the satisfaction mentioned above with that part of himself that he has no intention of changing, i.e., his ability to manipulate people and encircle himself with devotees.

Cardinal Mahony

Page 2

Both therapists think it unlikely that Father Ugarte will act out sexually in the near future. They do, however, note that there is potential danger for acting out and relate it to his deep need to be in a controlling relationship with adoring disciples in his former parishes. If he is able to establish those relationships and distance himself from the painful confrontations with peers and therapists at St. Luke's, he stands in danger of returning to old habits (see paragraph 1, p.2 of the attached report).

It was strongly recommended that if Father Ugarte were placed in the "third level", i.e., unlikely but possible return to ministry, he should spend the next three to five years away from Los Angeles.

Father [redacted] concluded our sessions by advising that Father Ugarte be clearly instructed that he may not function as a priest, particularly not in his former parishes, where people are in no position to understand the decisions made by the Archdiocese in his regard, and that any re-contact with former parishioners would be viewed by the Archdiocese as a direct arrow toward the "fourth level" and permanent dismissal from the clerical state.

At the recent Open Hearing at Presentation Parish, I experienced the power of Father Ugarte's charismatic appeal. Nearly 200 people attended, 95% of whom recommended that Father Ugarte return as the new pastor. (He was an Associate there from 1979 to 1983.) The organization of lay leaders begun by him during his assignment there is still so strong that Father [redacted], who has been Pro Tem Administrator at Presentation since July of this year, will not apply for the pastorate because of their opposition to him. I must say there appears to be a lot of good will and action generated through this network of lay leadership, but the emphasis on "Father Ugarte" resembles a cult.

Father Ugarte promised to contact me after he arrived here November 2 and to give me his address in Big Bear--where he and four former Presentation parishioners own a cabin. He has not contacted me as of this date. Last week, Father [redacted], formerly assigned to Pius X parish (where Father Ugarte was Associate from 1987 to April of this year) informed me that Father Ugarte has contacted parishioners there, who have been told not to tell the Archdiocese of that contact.

At this point, both Monsignor Richey and I are re-evaluating our recommendation for the "third level". I will wait until I get Father Ugarte's address, and then make some recommendations for your use in writing to him to lay down the conditions of his present status. I believe I told you that in my phone conversation with him just prior to his November 2 release from St. Luke's, Father Ugarte told me he could give me no assurance that he would look for employment upon his return and indicated that he planned to seek a canonist who might act as his advocate. I will be in touch with Monsignor [redacted] or with Father [redacted] before making the recommendations for your letter.

I concur - please keep me informed
+ RMA

25201

12-7-93

MEMORANDUM

DATE: December 1, 1993

TO: REDACTED , Payroll

FROM: REDACTED REDACTED
REDACTED

RE: Rev. Jose Ugarte

***EFFECTIVE NOVEMBER 1, 1993:**

Please remove Rev. Jose Ugarte from your priest Payroll.

Thanks

*Attached is his November Check please void it, since he should come off Payroll as of November 1, 1993.

CONFIDENTIAL

MEMORANDUMDecember 5, 1993

TO: Cardinal Mahony
 FROM: Father Timothy Dyer
 RE: Fr. Jose Ugarte

By now you have received my lengthy memo regarding the state of Fr. Jose Ugarte. He has still made no contact with this office since his return to Los Angeles on November 2nd (this date is certain because his return ticket to Los Angeles was purchased by the Archdiocese).

yes! // I had thought that perhaps he had left for Spain to see his aged mother as he had indicated he would like to do. However, I received the attached memo from Mr. [REDACTED] in the Hispanic Office and realize that, at least during the month of November, he has apparently been in the vicinity. If the reports contained in the memo turn out to be correct, they are in direct violation of the most basic elements of Fr. Ugarte's Aftercare contract with St. Luke's. I will continue to investigate the matter as well as prepare canonical letters for you to send him once we get an address.

yes! // In the event Fr. Ugarte has made contact with parishioners from Presentation and/or Pius X, I suggest a letter be prepared and read in both parishes to inform parishioners that faculties have been withdrawn. St. Luke's and Fr. Ugarte would also need to be told that the Archdiocese will not continue to spend money on Aftercare visits when there is already an obvious breach of contract and indication that Fr. Ugarte is not "in recovery".

Situation is not good -

+ Rkm

12-7-93

REDACTED
REDACTED, M.D.
REDACTED
h

1-20-94

To Whom It May Concern:

REDACTED

If you need additional information please please call me.

Sincerely,
REDACTED

>

M.D.

Febrero 4 de 1994.

Monseñor Dyer está con [REDACTED]

Monseñor Dyer:

[REDACTED], ¿de todo lo que me va a atestiguar ahora, todo lo que me va a decir están listos de decir todo esto bajo juramento con la Biblia y que es la verdad?

[REDACTED] - sí, sí estoy.

Monseñor Dyer:

y [REDACTED] ¿usted está lista de jurar de que lo que nos va a contar es la verdad?

Sí, estoy listo para decirlo.

Monseñor Dyer: Muchas gracias.

Monseñor Dyer:

[REDACTED] empezando con usted. Nos puede contar algo de su experiencia con el grupo fundado por el Padre José Ugarte en su Parroquia de San Matías.

Bueno, hace diez u once años el Padre Ugarte llegó a San Matías, y nos llamó a un grupo de pastores -- cinco damas y siete varones -- y.... entonces pues estuvimos en ese grupo, y no llamó a matrimonios solamente llamó a uno de ellos, y nos pusimos a su disposición aunque él quería hacer porque todos íbamos a empezar de nuevo como él quería porque él iba empezar allí. Y volvimos a hacer un retiro. Entonces íbamos nosotros a orar por personas del hospital o accidentados, y él no quería que hiciéramos eso, y entonces le decíamos por qué, y no nos decía. Entonces siempre nos daba como tristeza a veces que la gente nos dijera que fuéramos y no ir.

Pues después dijo que nos iba a sacar por imprudentes. Entonces yo lo busqué, y no me quería recibir. Más una vez, yo fui a la Oficina y nada más no dije mi nombre, y entonces cuando me vio se sorprendió, y entonces yo le dije: por favor unos cinco minutos, padre. Entonces se sentó, y dijo: "rápido porque tengo algo que hacer."

Entonces yo le dije: "Padre, dígame lo que estoy haciendo mal porque usted nada más me rechaza así nada más porque si a nosotros. Entonces él me dijo nunca, nunca te voy a decir eso. Entonces yo le dije: "pero, por qué no si es que yo me quiero someter, o quiero saber lo que está bien o lo que está mal porque somos muy imprudentes somos personas inmaduras. Dijo no es fácil que el que yo barbeche la tierra, siembre el trigo, y después que ya nazca yo te dé la tortilla.

Yo le dijo sí pero pues yo quiero saber. Dijo: "¡Nunca!"

Entonces le dije: "Pero es que me siento mal." Eres una mujer muy inteligente. Dios te va a guiar." Y así. Entonces yo le dije: "Bueno, pues ya como a nosotros ya nos había sacado. bueno yo no me quiero ir como así enojado, con tristeza, o resentimiento. Le dijo yo: "Pues, déme un abrazo." "Bueno, sí." "Bueno, hasta luego." "Hasta luego."

Pero pues continuó allí otros cuatro años. Entonces mejor me salí de allí porque nos sacó del ministerio. Me tenía una vez al mes orando por los enfermos. Entonces le dije, "Padre, me voy a ir CharisMissions." Todavía yo fui a decirle. Porque todo el grupo estaba Me voy a CharisMissions, a la Buena Noticia." "O si está bien, está bien. Donde quiera está Cristo." Dije: "Está bien, padre." Y me fui. Pero él puso un anuncio otra vez que vieran otra vez los seis pastores a pedir otra vez. Yo ya no quería ir. Pero uno de ellos, REDACTED me dijo: "Ve sé humilde dile que quieres ser otra vez pastora." "Pero ya no quiero ser." Dijo: "Ve por nosotros, queremos que estés con nosotros." Entonces yo le dije: "No, primero él dijo que iba a ser una profetisa como yo. Que yo era profetisa. Y después que no. Pero a mí no me interesa eso a mí me interesa estar bien y que él nos guíe. Y él no nos guía porque está con Presentación. "No, no, dice ve." Y fui y nos pasó a su oficina y estaba grabando. (Con una grabadora.) "Y me dijo, ¿por qué quieres ser otra vez pastora? Dije: "Bueno, pues para servir a la comunidad. Yo soy de esta comunidad." Bueno y así me hizo preguntas. No recuerdo.

Entonces ya entraba otro. De los que él ya sacaba, y luego entraban otros. Nos dio el gusto como diciendo sí se vinieron a humillar y eso. Pero dije no tiene nada de malo verdad si las personas de allí nos pedían que estuviéramos allí. Y así fue la última vez que yo hablé con él directamente. Y volviendo un poquito atrás para esto ahorita recordé que tuvo una junto con todos los pastores que eramos doce. Y dijo que le dijéramos lo que no le gustaba. Y pues creíamos que era sincera porque dijo digan lo que no les gusta. Y todos hablaron. Entonces yo le dije: "Padre, yo una cosa que a mí me gustaría es que usted ya no estuviera más en presentación tanto. sino que nos atendiera a nosotros por estos años que usted ha estado en San Matías. Porque este es un tesoro que Dios ha puesto en sus manos, pero no sabernos guiarnos. Usted está con nosotros. Y me dejó hablar.

Entonces le dije: "Padre, nosotros lo amamos vengase a la iglesia con nosotros. Entonces dijo: "Nunca me van a separar de ellos." Yo hice una alianza, un juramento, una promesa." "Exactamente no sé la palabra." Pero él dijo que con ellos para toda la vida." Entonces nos quedamos así.

Entonces pues ya cada uno habló. Y después de que acabamos de hablar, me dijo: "Tú sí has hablado conmigo." "¿Cuándo? Acuérdate que tú me vas a buscar a la sacristía y me llevas flores."

Entonces yo me sorprendí, Entonces le dije cuándo, no te acuerdas que me llevabas flores a veces a la sacristía. Yo me sorprendí. Entonces tú me has buscado. Yo sentí muy feo porque eso no es cierto jamás yo siempre bien unida con mi esposo, y dijo tú me has buscado. Entonces lo dijo como en una forma que yo lo buscaba como varón. Entonces yo me sorprendí mucho. Me dolió mucho esa reacción que tuvo así. Entonces pues yo así volteé a ver un Cristo, y dije ay Señor, pero padre porque dice eso. Entonces volteó padre porque no me hablas con amor, padre. Yo te estoy hablando con paz y con mucho amor. Porque tú me estás hablando así. Como esas cosas que no....tú y todos estos son una bola de mentirosos. "¡Todos!" Entonces nos sorprendimos todos. Y después dijo: "Vengan oren por mí." Entonces todos nos pusimos a orar por él.

Eso fue una de las causas que quizás cuando yo dije mis sentimientos ya no me hablaba. Nos separamos. Y entonces fue cuando paso esto que yo le conté que fui a CharisMissions. Y pues ya yo me salí de la iglesia de servir y pues eso a mí me hirió mucho. Hasta que vino el Padre [REDACTED] en el '88 u '87 al East L.A. College. Vino y nos dio unas pláticas de pues mucha paz de mucho amor y perdón sobre todo. Allí fue a donde yo empecé a comprenderlo porque él nos habla de que supiéramos comprender no habría necesidad de perdonar. Y empecé a comprenderlo que había quizás algo en su vida o algo. Pero donde yo lo perdoné fue en una de Bosco Tech. Hubo un retiro allí. (Voz de...retiro salesiano) fueron ocho días de silencio y contemplación. Allí el padre nos puso a escribir como un holocausto y que dijéramos todas nuestras heridas. Yo escribí todo eso. Desde entonces yo lo perdoné al padre.

(Voz de Monseñor Dyer) [REDACTED] me puede contar algo del estilo del padre con la congregación en particular con el grupo de oración y con los jóvenes. ¿Qué estilo tuvo con todos en general, con los varios grupos?

Bueno, en general él quería por ejemplo tener el mando de todo. Todos queríamos agradarlo, pero cuando hacíamos algo que no nos dábamos cuenta que estaba mal hasta en la misma Misa decía. No decía nuestros nombres, pero decía: mandé una persona a que fuera a decirle en su cara, a decirle que está mal esto. Porque a mí una vez me mandó a una persona que me hizo llorar. Yo creía que era una visita, pero me fue a decir muchas cosas. Y lo dijo en la Misa, yo hasta me hice para atrás. Era una forma de que ya sabíamos a quiénes nos decía y qué era lo que estaba diciendo. No bien para reputación de algunos de nosotros. Quitó a un coro. La gente está muy herida. Grupo que no nos uníamos allí, grupo que no era querido por los mismos del grupo y por él.

(Monseñor Dyer) ¿Formó un grupo de Jóvenes Adultos o Jóvenes?..... iban cada año a la montaña a hacer una alianza. A mí no me llamaron nunca.

¿Tiene idea de qué forma toma esta alianza? No, yo no.

(Voz de Monseñor Dyer) Permítame entonces aclarar un poco con Toño ahora

para que nos pueda enseñar de su situación en Pio X, y voy a anotar que cuando usted mencionaba Presentación que estaba hablando de la Parroquia de la Presentación aquí en Los Angeles en donde estaba el Padre antes de llegar a San Matías. ¿Verdad? REDACTED, sí.

REDACTED tal vez nos pueda contar algo como REDACTED algo en general de su situación con el Padre Ugarte. ¿Cómo trató con la congregación con el grupo de Oración de los Jóvenes?

Bueno, me llamc REDACTED. Yo conocí a el Padre Ugarte allá en Pio X, y me gustó su manera de predicar. Y supe que el formó su Grupo de Oración de Adultos y después formó un Grupo de Oración para Jóvenes. Y al formar a el Grupo de Oración para Adultos. Formó a unos pastores -- él les llamaba pastores. Una idea que nunca me gustó porque yo anteriormente solamente lo había oído de los hermanos protestantes pastores. Una vez yo le dije no me gusta esa palabra de "pastor." Yo sólo lo he oído de los hermanos protestantes, y no dentro de nuestra Iglesia Católica. "Yo sé por qué son pastores." Entonces allí yo hice un retiro, y en ese retiro pues me gustó la renovación carismática, y empecé a trabajar arduamente allí en todo lo que fue posible. Fui ujier y después me llamaron para ser pastor. Tuvo seis meses de pre-pastor y me estuvieron preparando nos puso uno de los mismos pastores a prepararnos. Pero antes de todas esas cosas yo ya había oído decir cómo era la manera del padre. Unas de las personas con las que tenía mucha intimidad me dijo: "Tienes que tener cuidado al hablar porque el padre siempre te va a estar pescando, y te va a estar tratando de que caigas en una trampa. El es muy astuto. Entonces tienes que tener cuidado cuando hables. Tienes que ver todo ese sentido porque es muy astuto. Aquí me dice que ya eres pre-pastor aquí todo lo que se habla cuando se hacen reuniones esto queda dentro del grupo. Lo que se habla allí no sale absolutamente nada. No le puede contar uno ni a su esposa ni a un amigo o a nadie. Eso se trata solamente cuando estaba él o cuando estaban los pastores o entre los pastores allí quedaba.

Entonces eso formó un problema muy grande dentro de mi hogar con mi esposa porque al hacer yo pre-pastor, a mi señora no le gustó porque sintió que nos estaba separando y siempre habíamos sido al grupo de renovación juntos. Desde entonces se formó una cosa muy grande porque yo la lastimé mucho a mi esposa porque empecé a ir y a venir, reuniones casi toda la semana. Hasta que estuvimos listos para hacer una alianza. Una alianza que siempre hace él con los que son pre-pastores para que sean pastores y año con año se hace una alianza para renovar esa alianza. Es una alianza con el Señor para trabajar, pero la alianza es para trabajar para esa iglesia, esa comunidad. No puede salir uno sin el permiso de él a trabajar a otra comunidad. No permite que otros sacerdotes lleguen a llevar otra espiritualidad porque en una ocasión siendo yo pastor yo propuse que invitáramos a el Padre REDACTED para que nos diera una charla a los ujieres a todos los que trabajamos porque necesitamos estar más instruidos para poder dar más a la comunidad. Entonces él dijo en esa época ya no estaba

el Padre ya lo habían suspendido porque lo habían mandado a un retiro y dijo que iba a un retiro sabático. Entonces dijeron vamos a comunicarnos con el padre de lo que tú acabas de proponer y algunos también quieren que venga el Padre [REDACTED] a darnos una charla pues él es preparado y prepara gente para esos servicios.

Entonces le llamaron y después nos comunicaron que había dicho que no. Que porque iba en un sentido diferente a la espiritualidad de él. El Padre [REDACTED] tenía otra espiritualidad y que no iba en unión con la de él. Se dio la plática, pero la dimos mejor dicho dos pastores de allí. Dos pastores tomaron dos temas y la dieron. Se puso en discusión todo eso.

Voz de Monseñor Dyer: [REDACTED], esta comunicación con el Padre Ugarte fue comunicación después de él lo que él nombró sabático? Más o menos pasó en el '93. Si en el '93. Entonces de su lugar fuera de la parroquia él estaba comunicando para decirles cosas por ejemplo de el Padre [REDACTED].

El estaba conduciendo desde afuera la comunidad de los pastores diciendo lo que se iba a ser, preparando desde donde estaba. Por ejemplo, dejó un mes sin hacer absolutamente nada de ir a la montaña porque ese mes de que viniera del sabático él se iba ir a la montaña iba a estar él solo para que nadie fuera y al venir se programó para las nuevas actividades. Por ejemplo, ahora andan los jóvenes haciendo un retiro, haciendo una alianza para servir el próximo año.

Voz de Monseñor Dyer: Todavía está entonces en comunicación con personas, jóvenes de su parroquia.

Sí, todavía está.

Recientemente, ¿ha tenido esos retiros que ha incluido a jóvenes de su propia parroquia?

Sí, ha tenido. Tuvo uno con la parroquia de allí, y tuvo un retiro con los jóvenes de la Parroquia de San Matías.

Monseñor Dyer: Me puede decir en qué mes más o menos tuvieron lugar estos retiros.

El 11 y 12 de diciembre. El estaba aquí y ha tenido también aparte de esos retiros con la Parroquia de Presentación. O sea él está con la Parroquia de Presentación. El tiene una alianza con los cuatro pastores grandes que le llaman allí en Presentación. El no lo ha dicho, pero me lo han dicho los pastores que lo conocen. O bueno, sí lo dijo en una ocasión. Que él tiene una alianza con esos cuatro pastores de por vida.

Los cuatro pastores en la Parroquia de Presentación. A ellos se refiere a los

pastores grandes. Con ellos tiene comunicación. Donde él va a la iglesia que va con esos pastores. Entonces si va a hacer un retiro lo que le llaman ellos seminario que se hacen como cuatro durante el año. Cuando él estaba allí ellos llegaban, o sean ellos eran los que dirigían todo el seminario, y nos incluían a nosotros. Pero ellos eran prácticamente los que llevaban la batuta. Entre los pastores de Presentación hay uno que es el encargado de atar chamucos, o diablos, y otra señora que es la que le llaman la "mama" que todo mundo, todos los que van allí le llaman la mama. Por cierto, esa señora murió en un retiro, en una alianza que ellos estaban haciendo en la montaña. Allí murió y la trajeron del retiro. En esos retiros, en esas alianzas, hacen una evaluación, pero no es una evaluación en lo bueno, sino en lo negativo y yo nunca he estado, pero lo que me han contado es que en esas alianzas muchas personas de los pastores salen muy heridos y puedo dar el caso de este señor que se llama [REDACTED] que se mató siendo pastor. Se mató casi un año después de que vino de hacer su alianza, y él me contó que en la alianza que hizo en la montaña lo habían herido mucho. Y bajó de allá muy herido, muy lastimado. Por cierto, él estaba enfermo también tenía problemas en su espalda y en su nuca y muchos dolores. Pero él me contó a mí porque fui un amigo que lo asistí hasta los últimos tres días antes de que se matara yo lo pasé a visitar por casualidad. Era una persona muy trabajadora de la iglesia y estaba en el hall. Yo lo pasé a visitar se bajó donde estaba y me estuvo platicando precisamente todo el problema que tenía que había estado en el hospital. Dijo mis compañeros y mis hermanos pastores no me fueron a visitar cuando estuve en el hospital. Yo le pregunté, y el Padre [REDACTED] te fue a visitar? No. El que más esperaba porque él era una persona que lo llevaba y lo traía. Pero no importa que él tenía la idea de suicidarse, de darse un balazo.

Monseñor Dyer: Usted nunca ha participado en los retiros de la montaña?

Sí. Cuando hice mi alianza para servir el primer año de pastor.

¿Cuándo hace una alianza en qué consiste?

Bueno, la alianza consiste en esto: nos vamos por ejemplo el jueves o viernes. En la noche oramos, cantamos como en la renovación carismática y se llevan a algunos de los pastores de Presentación y ellos dirigen todo. Todo lo tienen programado, pero a mí no me tocó estar en la alianza arriba que ellos estaban haciendo porque la casa tiene dos pisos. Sino que nos dejaron abajo simplemente respondiendo unas preguntas que ellos nos hacían.

¿Por qué queríamos servir? ¿Por qué queríamos ser pastores? No recuerdo exactamente todas las preguntas. Pero ya al final cuando ya fue el día domingo, subieron que es donde se supone se hace la alianza para servir a Dios y a la iglesia por la cual estamos trabajando, pues entonces me di cuenta pues que los pastores grandes que le llaman ellos de Presentación interrogan a los demás pastores y lo sujetan a un interrogatorio muy duro. Yo vi el caso de dos personas

a las cuales pues simplemente no querían contestar lo que les estaban preguntando. Simplemente se quedaron. Iban a ser [REDACTED] porque dice que a ella la han herido mucho porque allí en esa alianza, o en esos retiros él tiene el don de profecía y les da su profecía a cada persona, pero dicen que ha veces usa mucho la profecía para recriminar algo, pero no sé. Por cierto que hasta hace sentir duda de la profecía precisamente por esa razón.

Promesas que uno tiene que tomar por ejemplo he oído que en estos pactos o alianzas de los jóvenes que tienen que prometer obediencia al padre Ugarte y que tienen que prometer a algunos que están prometiendo votos de castidad.

Bueno, los jóvenes sí. Durante ese año que sirven como pastores si son varones ellos se comprometen a no tener novias si son jovencitas a no tener novios. Cuando tienen novios pues entonces si se van a casar dejan de ser pastores.

Monseñor Dyer: ¿Están prometiendo obediencia a el Padre en este tiempo?

Pues fíjese que yo no sé si es al padre al que le prometen o es a Dios. Porque es una promesa que yo nunca la he oído sólo lo que me han contado. Sólo lo que he oído de labios de ellos.

¿Cuándo tú tomaste la alianza tú hiciste votos?

Sí, bueno. Allí lo tengo escrito en mi casa donde le hacen unas preguntas exactamente no recuerdo, pero ellos nos dieron un papelito al cual debemos de contestar. No recuerdo exactamente, pero son las preguntas que nos hacen: servir a la iglesia, ser fiel como pastor. Verdad, porque donde empezó mi problema fue cuando yo trabajando ya en los talleres de oración. Los talleres de oración y el grupo de oración están separados. Los talleres de oración son una cosa, y los grupos de oración son otra cosa. Entonces estaban ellos mezclando las dos cosas o sea. Desde afuera estaban dirigiendo, o sea no estoy muy seguro supongo que era el Padre Ugarte porque todos decían que tenían que consultarlo con el padre. En una ocasión que íbamos a dar un taller de oración, [REDACTED] nos preguntó qué quién había tomado la decisión de separar los talleres para adultos y talleres para jóvenes. La persona que había tomado esa decisión no quiso decir.

Entonces yo respondí que la persona que había tomado esa decisión había sido [REDACTED] un problema muy grande en el momento que yo un poco indignado dije pues que eso no tenía que ser porque no teníamos que estar dando ninguna información a [REDACTED] porque no era él el encargado de taller de oración, simplemente era del grupo de oración.

Monseñor Dyer: Permítame, tengo una pregunta más, [REDACTED], si me puede contar cualquier cosa que ha pasado desde principios de noviembre con el Padre Ugarte en relación a su grupo. Cualquier cosa que han pasado, cualquier

comunicación que él haya tenido, cualquier eventos que haya tenido en la montaña para los miembros de la parroquia.

Bueno, después de que vino el Padre Ugarte de su retiro sabático, nos citó en la casa de REDACTED , y allí nos juntamos.

¿De qué parroquia es REDACTED ?

De San Pio X. El es el pastor, el encargo de dirigir el grupo de oración. Entonces nos citó por primera vez, y después nos dijeron que no. Que se había suspendido la reunión. Después nos volvieron a citar. Cuando llegamos, llegó él, y nos empezó a platicar de cómo le había ido en su retiro, las personas que había conocido, y el compromiso que había adquirido él con Dios de servir en humildad en pobreza al Señor, y que él le había contestado al Señor que "sí," que él le iba a servir en ese aspecto de pobreza y humildad.

Nos estuvo platicando muchas cosas.

Lado 2

Bueno, nos reunimos allí, pero no hubo Misa, pero sí oramos y luego él nos dijo profecías y nos dijo que tiene preparado formar un grupo de apostolado. Que ya le pidió permiso al Señor de formar un grupo de discípulos. No sé. Luego, ahora están los muchachos haciendo un retiro, y él también está allá en la montaña. En esta fecha el día cuatro de febrero. Ellos se fueron desde ayer, ahora se fueron unos.

¿De qué parroquia son los muchachos?

De San Pio X. Anteriormente, en diciembre.

¿Pertenecen a un grupo oficial de la parroquia?

Sí, es un grupo de oración de los jóvenes pastores.

¿Sabe si el párroco de la iglesia sabe?

No sé. Yo me imagino que a lo mejor sí, a la mejor no. Eso sólo lo sabría José porque él es el encargado de eso y Presentación. O sea entre ellos.....(interrupción)

¿Según tu conocimiento personal ha celebrado Misa?

Sí, dijo que ha celebrado Misa. O sea que él dijo allí que él tenía el permiso, no le podían quitar el derecho de celebrar Misa fuera de la parroquia.

¿Cuándo dijo eso

Cuando nos reunimos allí en Diciembre.

¿Tú estabas presente?

Sí, allí estaba.

Dijo que no le podían quitar el derecho de celebrar Misa en casa. Que él podía celebrar Misa en casa, y que estaba la orden incluso daba unas tarjetas para que le llamaran, para que se comunicaran con él para que él asistiera a cualquier cosa.

¿Inclusive la Misa?

Sí, dijo que sí. Que él podía dar Misa que era un Sacramento que le habían dado que no se lo podían quitar. Ahora están esa alianza y el 26 y 27 también van los pastores grandes a hacer su alianza.

¿De febrero?

De ahora de febrero.

¿Cómo sabes tú de eso? Porque es la fecha que está en el calendario que nos han dado. Que nos dieron antes.

¿Cuál calendario es ese? ¿El de la parroquia?

No, el de ellos. El programa que ellos hacen para la renovación para los pastores. Esos están para esa fecha de la montaña. Sé también de que han estado yendo los de Presentación a hacer sus alianzas tanto los servidores y están llevando grupos, o sea están sacando dentro de la renovación a los que ya sirven bastante los están llevando a hacer un retiro a la montaña. Sé que también está por allá.

¿Alguna otra cosa?

REDACTED como dijo el Monseñor sabes tú de ocasiones donde el padre se ha reunido con miembros de tu parroquia desde cuando él regresó de su sabático?

REDACTED Bueno yo tengo una fecha que es 11 y 12 de diciembre de 1993 que tocábamos que nos íbamos a reunir los que salieron nuevos guías. Entonces hubieron unos jóvenes que fueron allá. Entonces me dijeron que no podían ir con nosotros. Pero, yo les decía este es su compromiso. Pero es que vamos a ir a allá. Entonces por eso es que sé que 11 y 12 inclusive nosotros nos vimos en mucho aprieto porque los jóvenes se encargaban de la obra de la Virgen de

Guadalupe en San Matías. Ellos dijeron que no porque iban a subir a la alianza. Eso es lo que yo sé.

Voz de REDACTED :

¿Cuántos días antes de ese fin de semana les indicaron que no iban a poder estar?

REDACTED parece que me dijo REDACTED que una semana o dos. Pero no se puede hacer una semana o dos ni un mes porque es una obra donde se tiene aprender muchas cosas. Tenemos que buscar a REDACTED . Yo les dije a los jóvenes necesitamos que los necesitábamos. Por eso fue que me di cuenta. Yo pregunté en la oficina es que los muchachos van a ir allá. Dice pero no sabíamos. ¿Cómo nos van a dar la obra a nosotros. Tenemos que practicar.

REDACTED

La oficina de la parroquia les indicaron que necesitaban ayuda porque los muchachos no iban a estar.

REDACTED

pero yo les dije que por qué así rápido. Dijeron no, no sabemos.

REDACTED

¿Sabes tú personalmente qué pasó en ese retiro? ¿Hubo Misa?

REDACTED

No sabría decirle.

REDACTED

¿Ningún muchacho dio el reporte?

REDACTED

No.

REDACTED

¿Les has preguntado y no han respondido, o qué?

REDACTED

Me di cuenta porque fue mucha nuestra tristeza que nos dejaran solos con eso porque era un ministerio de ellos.

REDACTED

¿Algunos de los muchachos que te dijo que iba a ir al retiro, él muchacho dijo que fue?

REDACTED

Sí

REDACTED

¿Era una persona que iba a ir al retiro?

REDACTED

Sí

(Se interrumpió la conversación en la cinta)

REDACTED

Bueno, unas de las cosas que yo recuerdo que los adultos y los jóvenes cuando iban a ser alguna cosa, o querían consultar algo ellos se iban con el Padre Ugarte. Ellos se iban a reunir allá con él a Pío X.

REDACTED

¿No en San Matías?

REDACTED

No

REDACTED

¿Estás hablando de gente de San Matías? No iban a San Matías iban a Pío X.

REDACTED

Iban a Pío X. Pero después ya ellos le presentaban a el Padre REDACTED las cosas. Yo sabía porque me decían fuimos a una junta. Pero yo sin preguntar esa gente llegaba a decirme que habían ido con el Padre Ugarte porque queríamos preguntarle esto y esto.

REDACTED

¿Sabes tú si hay programadas citas para retiros de la Parroquia de San Matías en el futuro?

REDACTED

No, porque el Padre REDACTED les dio las gracias y les dijo que ya habían dejado instruido a el grupo, pero los invitan a veces a que ayuden a dar retiros si los invitan fuera de San Matías, a Pío X, o a otras iglesias donde está el Padre REDACTED.

REDACTED

El Padre REDACTED también está formando otro grupo de jóvenes y también los está llevando a la montaña a hacer su alianza.

REDACTED

¿Qué tiene que hacer lo que está haciendo el Padre REDACTED con lo que está

haciendo el Padre ^{REDACTED} ?

REDACTED

Porque él salió de los jóvenes que él recomendó para ser sacerdotes.

REDACTED

Entonces él conocía a ^{REDACTED} cuando era laico.

REDACTED

Sí, y ahora que es sacerdote pues está siguiendo la misma línea.

REDACTED

¿El va a los retiros?

REDACTED

El va a veces a los retiros.

REDACTED

¿Desde que regresó el Padre ^{REDACTED} ?

REDACTED

Sí. El está en mutua relación con el Padre Ugarte porque está siguiendo la misma línea de él formando alianzas. Hace poco fue a hacer su alianza a la montaña con un grupo de jóvenes para la renovación carismática.

REDACTED

¿A esa alianza fue el Padre ^{REDACTED} ?

REDACTED

No sólo fue el Padre ^{REDACTED} Por cierto, que dicen que no están muy de acuerdo entre ellos dos. Hay discrepancias. No sé cuál es, pero oí por allí decir que hay discrepancias. La vez pasada que yo fui a Presentación que nos estaban dando según formación de líderes allí estaba el Padre ^{REDACTED}, y estaba también participando.

Cuando nos llamaron de Pio X, de la iglesia del Padre ^{REDACTED}, y de la Iglesia de Presentación. Precisamente allí en Presentación estaban dando esas clases de formación para líderes. Una de las cosas que dijo allí uno de los pastores es que aquel que dejaba de ser pastor perdía toda identidad. No me gustó esa palabra porque yo pienso que la identidad la pierde el hombre cuando deja de relacionarse con Dios no precisamente cuando deja de ser pastor.

REDACTED

¿Por qué dejaste de ser pastor?

REDACTED

Yo dejé de ser pastor por dos razones. Primero porque me está separando de mi esposa no podíamos caminar juntos en la espiritualidad. Yo tenía que ir por un camino, y a ella la hice sufrir mucho. Yo me di cuenta que la estaba haciendo sufrir. Me di cuenta que en talleres de oración allí sí podíamos trabajar los dos juntos. Yo se los comuniqué a ellos, y a ellos no les gustó esa comunicación que yo les di. Me dijeron que yo tenía una alianza con ellos, y que no la podía dejar. Entonces yo les dije: yo no tengo ninguna alianza con el Padre Ugarte, yo tengo una alianza con el Señor. Yo esa alianza la voy a respetar porque voy a seguir trabajando para El dentro de talleres de oración. Así es que sólo este año voy a servir, yo me voy a retirar. Eso causó una gran revuelta dentro de los pastores de allí y dentro de los pastores de Presentación hasta el caso de que una vez fui allá, y recibí una reprimenda de uno de los pastores allá en Presentación. ¿Qué por qué tuve yo que haber dicho eso? Yo le dije: pues porque es la verdad, y a mí me gusta hablar con la verdad. Yo siento que hay cosas que no me gustan aquí, y entonces prefiero retirarme y trabajar donde pueda yo servir a lado de mi esposa. Porque yo sé Dios me ha unido con ella, y nadie me puede separar de ella.

REDACTED

¿Hubo comunicación con el padre mientras que él estaba de sabático?

REDACTED

Los pastores si tenían mucha comunicación.

REDACTED

¿Qué tipo de comunicación?

REDACTED

Cartas, por teléfono.

REDACTED

¿Está seguro?

REDACTED

Si, yo tengo las cartas que él les escribía de allá para acá. Hay cartas escritas. Yo las tengo porque nos la dieron a todos los pastores.

REDACTED

¿El estaba conduciendo el grupo desde lejos?

REDACTED

Desde lejos, sí. Exactamente. Los sigue conduciendo así tanto a Presentación, a San Matías, y a Pio X.

REDACTED

¿Tú tienes esas cartas que él escribía desde lejos?

REDACTED

Sí.

REDACTED

Conduciendo su grupo desde su sabático.

REDACTED

Sí, conduciéndoles y escribía cartas personalmente a cada pastor según. A mi nunca me escribió.

Febrero 4 de 1994.

Monseñor Dyer está con [REDACTED]

Monseñor Dyer:

[REDACTED] ¿de todo lo que me va a atestiguar ahora, todo lo que me va a decir están listos de decir todo esto bajo juramento con la Biblia y que es la verdad?

[REDACTED] - sí, sí estoy.

Monseñor Dyer:

y [REDACTED], ¿usted está lista de jurar de que lo que nos va a contar es la verdad?

Sí, estoy listo para decirlo.

Monseñor Dyer: Muchas gracias.

Monseñor Dyer:

[REDACTED], empezando con usted. Nos puede contar algo de su experiencia con el grupo fundado por el Padre José Ugarte en su Parroquia de San Matías.

Bueno, hace diez u once años el Padre Ugarte llegó a San Matías, y nos llamó a un grupo de pastores -- cinco damas y siete varones -- y.... entonces pues estuvimos en ese grupo, y no llamó a matrimonios solamente llamó a uno de ellos, y nos pusimos a su disposición aunque él quería hacer porque todos íbamos a empezar de nuevo como él quería porque él iba empezar allí. Y volvimos a hacer un retiro. Entonces íbamos nosotros a orar por personas del hospital o accidentados, y él no quería que hiciéramos eso, y entonces le decíamos por qué, y no nos decía. Entonces siempre nos daba como tristeza a veces que la gente nos dijera que fuéramos y no ir.

Pues después dijo que nos iba a sacar por imprudentes. Entonces yo lo busqué, y no me quería recibir. Más una vez, yo fui a la Oficina y nada más no dije mi nombre, y entonces cuando me vio se sorprendió, y entonces yo le dije: por favor unos cinco minutos, padre. Entonces se sentó, y dijo: "rápido porque tengo algo que hacer."

Entonces yo le dije: "Padre, dígame lo que estoy haciendo mal porque usted nada más me rechaza así nada más porque si a nosotros. Entonces él me dijo nunca, nunca te voy a decir eso. Entonces yo le dije: "pero, por qué no si es que yo me quiero someter, o quiero saber lo que está bien o lo que está mal porque somos muy imprudentes somos personas inmaduras. Dijo no es fácil que el que yo barbeche la tierra, siembre el trigo, y después que ya nazca yo te dé la tortilla.

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Yo le dijo sí pero pues yo quiero saber. Dijo: "¡Nunca!"

Entonces le dije: "Pero es que me siento mal." Eres una mujer muy inteligente. Dios te va a guiar." Y así. Entonces yo le dije: "Bueno, pues ya como a nosotros ya nos había sacado. bueno yo no me quiero ir como así enojado, con tristeza, o resentimiento. Le dijo yo: "Pues, déme un abrazo." "Bueno, sí." "Bueno, hasta luego." "Hasta luego."

Pero pues continuó allí otros cuatro años. Entonces mejor me salí de allí porque nos sacó del ministerio. Me tenía una vez al mes orando por los enfermos. Entonces le dije, "Padre, me voy a ir CharisMissions." Todavía yo fui a decirle. Porque todo el grupo estaba Me voy a CharisMissions, a la Buena Noticia." "O si está bien, está bien. Donde quiera está Cristo." Dije: "Está bien, padre." Y me fui. Pero él puso un anuncio otra vez que vieran otra vez los seis pastores a pedir otra vez. Yo ya no quería ir. Pero uno de ellos, REDACTED, me dijo: "Ve sé humilde dile que quieres ser otra vez pastora." "Pero ya no quiero ser." Dijo: "Ve por nosotros, queremos que estés con nosotros." Entonces yo le dije: "No, primero él dijo que iba a ser una profetisa como yo. Que yo era profetisa. Y después que no. Pero a mí no me interesa eso a mí me interesa estar bien y que él nos guíe. Y él no nos guía porque está con Presentación. "No, no, dice ve." Y fui y nos pasó a su oficina y estaba grabando. (Con una grabadora.) "Y me dijo, ¿por qué quieres ser otra vez pastora? Dije: "Bueno, pues para servir a la comunidad. Yo soy de esta comunidad." Bueno y así me hizo preguntas. No recuerdo.

Entonces ya entraba otro. De los que él ya sacaba, y luego entraban otros. Nos dio el gusto como diciendo sí se vinieron a humillar y eso. Pero dije no tiene nada de malo verdad si las personas de allí nos pedían que estuviéramos allí. Y así fue la última vez que yo hablé con él directamente. Y volviendo un poquito atrás para esto ahorita recordé que tuvo una junta con todos los pastores que eramos doce. Y dijo que le dijéramos lo que no le gustaba. Y pues creíamos que era sincera porque dijo digan lo que no les gusta. Y todos hablaron. Entonces yo le dije: "Padre, yo una cosa que a mí me gustaría es que usted ya no estuviera más en presentación tanto. sino que nos atendiera a nosotros por estos años que usted ha estado en San Matías. Porque este es un tesoro que Dios ha puesto en sus manos, pero no sabernos guiarnos. Usted está con nosotros. Y me dejó hablar.

Entonces le dije: "Padre, nosotros lo amamos vengase a la iglesia con nosotros. Entonces dijo: "Nunca me van a separar de ellos." Yo hice una alianza, un juramento, una promesa." "Exactamente no sé la palabra." Pero él dijo que con ellos para toda la vida." Entonces nos quedamos así.

Entonces pues ya cada uno habló. Y después de que acabamos de hablar, me dijo: "Tú sí has hablado conmigo." "¿Cuándo? Acuérdate que tú me vas a buscar a la sacristía y me llevas flores."

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Entonces yo me sorprendí, Entonces le dije cuándo, no te acuerdas que me llevabas flores a veces a la sacristía. Yo me sorprendí. Entonces tú me has buscado. Yo sentí muy feo porque eso no es cierto jamás yo siempre bien unida con mi esposo, y dijo tú me has buscado. Entonces lo dijo como en una forma que yo lo buscaba como varón. Entonces yo me sorprendí mucho. Me dolió mucho esa reacción que tuvo así. Entonces pues yo así volteé a ver un Cristo, y dije ay Señor, pero padre porqué dice eso. Entonces volteó padre porqué no me hablas con amor, padre. Yo te estoy hablando con paz y con mucho amor. Porqué tú me estás hablando así. Como esas cosas que no....tú y todos estos son una bola de mentirosos. "¡Todos!" Entonces nos sorprendimos todos. Y después dijo: "Vengan oren por mí." Entonces todos nos pusimos a orar por él.

Eso fue una de las causas que quizás cuando yo dije mis sentimientos ya no me hablaba. Nos separamos. Y entonces fue cuando paso esto que yo le conté que fui a CharisMissions. Y pues ya yo me salí de la iglesia de servir y pues eso a mí me hirió mucho. Hasta que vino el Padre [REDACTED] en el '88 u '87 al East L.A. College. Vino y nos dio unas pláticas de pues mucha paz de mucho amor y perdón sobre todo. Allí fue a donde yo empecé a comprenderlo porque él nos habla de que supiéramos comprender no habría necesidad de perdonar. Y empecé a comprenderlo que había quizás algo en su vida o algo. Pero donde yo lo perdoné fue en una de Bosco Tech. Hubo un retiro allí. (Voz de...retiro salesiano) fueron ocho días de silencio y contemplación. Allí el padre nos puso a escribir como un holocausto y que dijéramos todas nuestras heridas. Yo escribí todo eso. Desde entonces yo lo perdoné al padre.

(Voz de Monseñor Dyer) [REDACTED], me puede contar algo del estilo del padre con la congregación en particular con el grupo de oración y con los jóvenes. ¿Qué estilo tuvo con todos en general, con los varios grupos?

Bueno, en general él quería por ejemplo tener el mando de todo. Todos queríamos agraderlo, pero cuando hacíamos algo que no nos dábamos cuenta que estaba mal hasta en la misma Misa decía. No decía nuestros nombres, pero decía: mandé una persona a que fuera a decirle en su cara, a decirle que está mal esto. Porque a mí una vez me mandó a una persona que me hizo llorar. Yo creía que era una visita, pero me fue a decir muchas cosas. Y lo dijo en la Misa, yo hasta me hice para atrás. Era una forma de que ya sabíamos a quiénes nos decía y qué era lo que estaba diciendo. No bien para reputación de algunos de nosotros. Quitó a un coro. La gente está muy herida. Grupo que no nos uníamos allí, grupo que no era querido por los mismos del grupo y por él.

(Monseñor Dyer) ¿Formó un grupo de Jóvenes Adultos o Jóvenes?..... iban cada año a la montaña a hacer una alianza. A mí no me llamaron nunca.

¿Tiene idea de qué forma toma esta alianza? No, yo no.

(Voz de Monseñor Dyer) Permítame entonces aclarar un poco con Toño ahora

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para que nos pueda enseñar de su situación en Pio X, y voy a anotar que cuando usted mencionaba Presentación que estaba hablando de la Parroquia de la Presentación aquí en Los Angeles en donde estaba el Padre antes de llegar a San Matías. ¿Verdad? REDACTED, sí.

REDACTED tal vez nos pueda contar algo como REDACTED algo en general de su situación con el Padre Ugarte. ¿Cómo trató con la congregación con el grupo de Oración de los Jóvenes?

Bueno, me llamo REDACTED Yo conocí a el Padre Ugarte allá en Pio X, y me gustó su manera de predicar. Y supe que el formó su Grupo de Oración de Adultos y después formó un Grupo de Oración para Jóvenes. Y al formar a el Grupo de Oración para Adultos. Formó a unos pastores -- él les llamaba pastores. Una idea que nunca me gustó porque yo anteriormente solamente lo había oído de los hermanos protestantes pastores. Una vez yo le dije no me gusta esa palabra de "pastor." Yo sólo lo he oído de los hermanos protestantes, y no dentro de nuestra Iglesia Católica. "Yo sé por qué son pastores." Entonces allí yo hice un retiro, y en ese retiro pues me gustó la renovación carismática, y empecé a trabajar arduamente allí en todo lo que fue posible. Fui ujier y después me llamaron para ser pastor. Tuvo seis meses de pre-pastor y me estuvieron preparando nos puso uno de los mismos pastores a prepararnos. Pero antes de todas esas cosas yo ya había oído decir cómo era la manera del padre. Unas de las personas con las que tenía mucha intimidad me dijo: "Tienes que tener cuidado al hablar porque el padre siempre te va a estar pescando, y te va a estar tratando de que caigas en una trampa. El es muy astuto. Entonces tienes que tener cuidado cuando hables. Tienes que ver todo ese sentido porque es muy astuto. Aquí me dice que ya eres pre-pastor aquí todo lo que se habla cuando se hacen reuniones esto queda dentro del grupo. Lo que se habla allí no sale absolutamente nada. No le puede contar uno ni a su esposa ni a un amigo o a nadie. Eso se trata solamente cuando estaba él o cuando estaban los pastores o entre los pastores allí quedaba.

Entonces eso formó un problema muy grande dentro de mi hogar con mi esposa porque al hacer yo pre-pastor, a mi señora no le gustó porque sintió que nos estaba separando y siempre habíamos sido al grupo de renovación juntos. Desde entonces se formó una cosa muy grande porque yo la lastimé mucho a mi esposa porque empecé a ir y a venir, reuniones casi toda la semana. Hasta que estuvimos listos para hacer una alianza. Una alianza que siempre hace él con los que son pre-pastores para que sean pastores y año con año se hace una alianza para renovar esa alianza. Es una alianza con el Señor para trabajar, pero la alianza es para trabajar para esa iglesia, esa comunidad. No puede salir uno sin el permiso de él a trabajar a otra comunidad. No permite que otros sacerdotes lleguen a llevar otra espiritualidad porque en una ocasión siendo yo pastor yo propuse que invitáramos a el Padre REDACTED ; para que nos diera una charla a los ujieres a todos los que trabajamos porque necesitamos estar más instruidos para poder dar más a la comunidad. Entonces él dijo en esa época ya no estaba

el Padre ya lo habían suspendido porque lo habían mandado a un retiro y dijo que iba a un retiro sabático. Entonces dijeron vamos a comunicarnos con el padre de lo que tú acabas de proponer y algunos también quieran que venga el Padre [REDACTED] a darnos una charla pues él es preparado y prepara gente para esos servicios.

Entonces le llamaron y después nos comunicaron que había dicho que no. Que porque iba en un sentido diferente a la espiritualidad de él. El Padre [REDACTED] tenía otra espiritualidad y que no iba en unión con la de él. Se dio la plática, pero la dimos mejor dicho dos pastores de allí. Dos pastores tomaron dos temas y la dieron. Se puso en discusión todo eso.

Voz de Monseñor Dyer: [REDACTED], esta comunicación con el Padre Ugarte fue comunicación después de él lo que él nombró sabático? Más o menos pasó en el '93. Si en el '93. Entonces de su lugar fuera de la parroquia él estaba comunicando para decirles cosas por ejemplo de el Padre [REDACTED]

El estaba conduciendo desde afuera la comunidad de los pastores diciendo lo que se iba a ser, preparando desde donde estaba. Por ejemplo, dejó un mes sin hacer absolutamente nada de ir a la montaña porque ese mes de que viniera del sabático él se iba ir a la montaña iba a estar él solo para que nadie fuera y al venir se programó para las nuevas actividades. Por ejemplo, ahora andan los jóvenes haciendo un retiro, haciendo una alianza para servir el próximo año.

Voz de Monseñor Dyer: Todavía está entonces en comunicación con personas, jóvenes de su parroquia.

Sí, todavía está.

Recientemente, ¿ha tenido esos retiros que ha incluido a jóvenes de su propia parroquia?

Sí, ha tenido. Tuvo uno con la parroquia de allí, y tuvo un retiro con los jóvenes de la Parroquia de San Matías.

Monseñor Dyer: Me puede decir en qué mes más o menos tuvieron lugar estos retiros.

El 11 y 12 de diciembre. El estaba aquí y ha tenido también aparte de esos retiros con la Parroquia de Presentación. O sea él está con la Parroquia de Presentación. El tiene una alianza con los cuatro pastores grandes que le llaman allí en Presentación. El no lo ha dicho, pero me lo han dicho los pastores que lo conocen. O bueno, sí lo dijo en una ocasión. Que él tiene una alianza con esos cuatro pastores de por vida.

Los cuatro pastores en la Parroquia de Presentación. A ellos se refiere a los

pastores grandes. Con ellos tiene comunicación. Donde él va a la iglesia que va con esos pastores. Entonces si va a hacer un retiro lo que le llaman ellos seminario que se hacen como cuatro durante el año. Cuando él estaba allí ellos llegaban, o sean ellos eran los que dirigían todo el seminario, y nos incluían a nosotros. Pero ellos eran prácticamente los que llevaban la batuta. Entre los pastores de Presentación hay uno que es el encargado de atar chamucos, o diablos, y otra señora que es la que le llaman la "mama" que todo mundo, todos los que van allí le llaman la mama. Por cierto, esa señora murió en un retiro, en una alianza que ellos estaban haciendo en la montaña. Allí murió y la trajeron del retiro. En esos retiros, en esas alianzas, hacen una evaluación, pero no es una evaluación en lo bueno, sino en lo negativo y yo nunca he estado, pero lo que me han contado es que en esas alianzas muchas personas de los pastores salen muy heridos y puedo dar el caso de este señor que se llama [REDACTED] que se mató siendo pastor. Se mató casi un año después de que vino de hacer su alianza, y él me contó que en la alianza que hizo en la montaña lo habían herido mucho. Y bajó de allá muy herido, muy lastimado. Por cierto, él estaba enfermo también tenía problemas en su espalda y en su nuca y muchos dolores. Pero él me contó a mí porque fui un amigo que lo asistí hasta los últimos tres días antes de que se matara yo lo pasé a visitar por casualidad. Era una persona muy trabajadora de la iglesia y estaba en el hall. Yo lo pasé a visitar se bajó donde estaba y me estuvo platicando precisamente todo el problema que tenía que había estado en el hospital. Dijo mis compañeros y mis hermanos pastores no me fueron a visitar cuando estuve en el hospital. Yo le pregunté, y el Padre [REDACTED] te fue a visitar? No. El que más esperaba porque él era una persona que lo llevaba y lo traía. Pero no importa que él tenía la idea de suicidarse, de darse un balazo.

Monseñor Dyer: Usted nunca ha participado en los retiros de la montaña?

Sí. Cuando hice mi alianza para servir el primer año de pastor.

¿Cuándo hace una alianza en qué consiste?

Bueno, la alianza consiste en esto: nos vamos por ejemplo el jueves o viernes. En la noche oramos, cantamos como en la renovación carismática y se llevan a algunos de los pastores de Presentación y ellos dirigen todo. Todo lo tienen programado, pero a mí no me tocó estar en la alianza arriba que ellos estaban haciendo porque la casa tiene dos pisos. Sino que nos dejaron abajo simplemente respondiendo unas preguntas que ellos nos hacían.

¿Por qué queríamos servir? ¿Por qué queríamos ser pastores? No recuerdo exactamente todas las preguntas. Pero ya al final cuando ya fue el día domingo, subieron que es donde se supone se hace la alianza para servir a Dios y a la iglesia por la cual estamos trabajando, pues entonces me di cuenta pues que los pastores grandes que le llaman ellos de Presentación interrogan a los demás pastores y lo sujetan a un interrogatorio muy duro. Yo vi el caso de dos personas

a las cuales pues simplemente no querían contestar lo que les estaban preguntando. Simplemente se quedaron. Iban a ser [REDACTED] porque dice que a ella la han herido mucho porque allí en esa alianza, o en esos retiros él tiene el don de profecía y les da su profecía a cada persona, pero dicen que ha veces usa mucho la profecía para recriminar algo, pero no sé. Por cierto que hasta hace sentir duda de la profecía precisamente por esa razón.

Promesas que uno tiene que tomar por ejemplo he oído que en estos pactos o alianzas de los jóvenes que tienen que prometer obediencia al padre Ugarte y que tienen que prometer a algunos que están prometiendo votos de castidad.

Bueno, los jóvenes sí. Durante ese año que sirven como pastores si son varones ellos se comprometen a no tener novias si son jovencitas a no tener novios. Cuando tienen novios pues entonces si se van a casar dejan de ser pastores.

Monseñor Dyer: ¿Están prometiendo obediencia a el Padre en este tiempo?

Pues fíjese que yo no sé si es al padre al que le prometen o es a Dios. Porque es una promesa que yo nunca la he oído sólo lo que me han contado. Sólo lo que he oído de labios de ellos.

¿Cuándo tú tomaste la alianza tú hiciste votos?

Sí, bueno. Allí lo tengo escrito en mi casa donde le hacen unas preguntas exactamente no recuerdo, pero ellos nos dieron un papelito al cual debemos de contestar. No recuerdo exactamente, pero son las preguntas que nos hacen: servir a la iglesia, ser fiel como pastor. Verdad, porque donde empezó mi problema fue cuando yo trabajando ya en los talleres de oración. Los talleres de oración y el grupo de oración están separados. Los talleres de oración son una cosa, y los grupos de oración son otra cosa. Entonces estaban ellos mezclando las dos cosas o sea. Desde afuera estaban dirigiendo, o sea no estoy muy seguro supongo que era el Padre Ugarte porque todos decían que tenían que consultarlo con el padre. En una ocasión que íbamos a dar un taller de oración, [REDACTED] nos preguntó qué quién había tomado la decisión de separar los talleres para adultos y talleres para jóvenes. La persona que había tomado esa decisión no quiso decir.

Entonces yo respondí que la persona que había tomado esa decisión había sido [REDACTED] un problema muy grande en el momento que yo un poco indignado dije pues que eso no tenía que ser porque no teníamos que estar dando ninguna información a [REDACTED] porque no era él el encargado de taller de oración, simplemente era del grupo de oración.

Monseñor Dyer: Permítame, tengo una pregunta más, [REDACTED], si me puede contar cualquier cosa que ha pasado desde principios de noviembre con el Padre Ugarte en relación a su grupo. Cualquier cosa que han pasado, cualquier

comunicación que él haya tenido, cualquier eventos que haya tenido en la montaña para los miembros de la parroquia.

Bueno, después de que vino el Padre Ugarte de su retiro sabático, nos citó en la casa de REDACTED y allí nos juntamos.

¿De qué parroquia es REDACTED ?

De San Pio X. El es el pastor, el encargo de dirigir el grupo de oración. Entonces nos citó por primera vez, y después nos dijeron que no. Que se había suspendido la reunión. Después nos volvieron a citar. Cuando llegamos, llegó él, y nos empezó a platicar de cómo le había ido en su retiro, las personas que había conocido, y el compromiso que había adquirido él con Dios de servir en humildad en pobreza al Señor, y que él le había contestado al Señor que "sí," que él le iba a servir en ese aspecto de pobreza y humildad.

Nos estuvo platicando muchas cosas.

Lado 2

Bueno, nos reunimos allí, pero no hubo Misa, pero sí oramos y luego él nos dijo profecías y nos dijo que tiene preparado formar un grupo de apostolado. Que ya le pidió permiso al Señor de formar un grupo de discípulos. No sé. Luego, ahora están los muchachos haciendo un retiro, y él también está allá en la montaña. En esta fecha el día cuatro de febrero. Ellos se fueron desde ayer, ahora se fueron unos.

¿De qué parroquia son los muchachos?

De San Pio X. Anteriormente, en diciembre.

¿Pertenecen a un grupo oficial de la parroquia?

Sí, es un grupo de oración de los jóvenes pastores.

¿Sabe si el párroco de la iglesia sabe?

No sé. Yo me imagino que a lo mejor sí, a la mejor no. Eso sólo lo sabría José porque él es el encargado de eso y Presentación. O sea entre ellos.....(interrupción)

¿Según tu conocimiento personal ha celebrado Misa?

Sí, dijo que ha celebrado Misa. O sea que él dijo allí que él tenía el permiso, no le podían quitar el derecho de celebrar Misa fuera de la parroquia.

¿Cuándo dijo eso

Cuando nos reunimos allí en Diciembre.

¿Tú estabas presente?

Sí, allí estaba.

Dijo que no le podían quitar el derecho de celebrar Misa en casa. Que él podía celebrar Misa en casa, y que estaba la orden incluso daba unas tarjetas para que le llamaran, para que se comunicaran con él para que él asistiera a cualquier cosa.

¿Inclusive la Misa?

Sí, dijo que sí. Que él podía dar Misa que era un Sacramento que le habían dado que no se lo podían quitar. Ahora están esa alianza y el 26 y 27 también van los pastores grandes a hacer su alianza.

¿De febrero?

De ahora de febrero.

¿Cómo sabes tú de eso? Porque es la fecha que está en el calendario que nos han dado. Que nos dieron antes.

¿Cuál calendario es ese? ¿El de la parroquia?

No, el de ellos. El programa que ellos hacen para la renovación para los pastores. Esos están para esa fecha de la montaña. Sé también de que han estado yendo los de Presentación a hacer sus alianzas tanto los servidores y están llevando grupos, o sea están sacando dentro de la renovación a los que ya sirven bastante los están llevando a hacer un retiro a la montaña. Sé que también está por allá.

¿Alguna otra cosa?

REDACTED, como dijo el Monseñor sabes tú de ocasiones donde el padre se ha reunido con miembros de tu parroquia desde cuando él regresó de su sabático?

REDACTED Bueno yo tengo una fecha que es 11 y 12 de diciembre de 1993 que tocábamos que nos íbamos a reunir los que salieron nuevos guías. Entonces hubieron unos jóvenes que fueron allá. Entonces me dijeron que no podían ir con nosotros. Pero, yo les decía este es su compromiso. Pero es que vamos a ir a allá. Entonces por eso es que sé que 11 y 12 inclusive nosotros nos vimos en mucho aprieto porque los jóvenes se encargaban de la obra de la Virgen de

Guadalupe en San Matías. Ellos dijeron que no porque iban a subir a la alianza. Eso es lo que yo sé.

Voz de REDACTED ,:

¿Cuántos días antes de ese fin de semana les indicaron que no iban a poder estar?

REDACTED parece que me dijo REDACTED que una semana o dos. Pero no se puede hacer una semana o dos ni un mes porque es una obra donde se tiene aprender muchas cosas. Tenemos que buscar a REDACTED . Yo les dije a los jóvenes necesitamos que los necesitábamos. Por eso fue que me di cuenta. Yo pregunté en la oficina es que los muchachos van a ir allá. Dice pero no sabíamos. ¿Cómo nos van a dar la obra a nosotros. Tenemos que practicar.

REDACTED

La oficina de la parroquia les indicaron que necesitaban ayuda porque los muchachos no iban a estar.

REDACTED

pero yo les dije que por qué así rápido. Dijeron no, no sabemos.

REDACTED

¿Sabes tú personalmente qué pasó en ese retiro? ¿Hubo Misa?

REDACTED

No sabría decirle.

REDACTED

¿Ningún muchacho dio el reporte?

REDACTED

No.

REDACTED

¿Les has preguntado y no han respondido, o qué?

REDACTED

Me di cuenta porque fue mucha nuestra tristeza que nos dejaran solos con eso porque era un ministerio de ellos.

REDACTED

¿Algunos de los muchachos que te dijo que iba a ir al retiro, él muchacho dijo que fue?

REDACTED...

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Sí

REDACTED

¿Era una persona que iba a ir al retiro?

REDACTED

Sí

(Se interrumpió la conversación en la cinta)

REDACTED

Bueno, unas de las cosas que yo recuerdo que los adultos y los jóvenes cuando iban a ser alguna cosa, o querían consultar algo ellos se iban con el Padre Ugarte. Ellos se iban a reunir allá con él a Pío X.

REDACTED

¿No en San Matías?

REDACTED

No

REDACTED

¿Estás hablando de gente de San Matías? No iban a San Matías iban a Pío X.

REDACTED

Iban a Pío X. Pero después ya ellos le presentaban a el Padre REDACTED las cosas. Yo sabía porque me decían fuimos a una junta. Pero yo sin preguntar esa gente llegaba a decirme que habían ido con el Padre Ugarte porque queríamos preguntarle esto y esto.

REDACTED

¿Sabes tú si hay programadas citas para retiros de la Parroquia de San Matías en el futuro?

REDACTED

No, porque el Padre REDACTED les dio las gracias y les dijo que ya habían dejado instruido a el grupo, pero los invitan a veces a que ayuden a dar retiros si los invitan fuera de San Matías, a Pío X, o a otras iglesias donde está el Padre REDACTED

REDACTED

El Padre REDACTED también está formando otro grupo de jóvenes y también los está llevando a la montaña a hacer su alianza.

REDACTED

¿Qué tiene que hacer lo que está haciendo el Padre REDACTED con lo que está

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haciendo el Padre REDACTED ?

REDACTED

Porque él salió de los jóvenes que él recomendó para ser sacerdotes.

REDACTED

Entonces él conocía a REDACTED cuando era laico.

REDACTED

Sí, y ahora que es sacerdote pues está siguiendo la misma línea.

REDACTED

¿El va a los retiros?

REDACTED

El va a veces a los retiros.

REDACTED

¿Desde que regresó el Padre REDACTED ?

REDACTED

Sí. El está en mutua relación con el Padre Ugarte porque está siguiendo la misma línea de él formando alianzas. Hace poco fue a hacer su alianza a la montaña con un grupo de jóvenes para la renovación carismática.

REDACTED

¿A esa alianza fue el Padre José Ignacio?

REDACTED

No sólo fue el Padre REDACTED . Por cierto, que dicen que no están muy de acuerdo entre ellos dos. Hay discrepancias. No sé cuál es, pero oí por allí decir que hay discrepancias. La vez pasada que yo fui a Presentación que nos estaban dando según formación de líderes allí estaba el Padre REDACTED , y estaba también participando.

Cuando nos llamaron de Pio X, de la iglesia del Padre REDACTED , y de la Iglesia de Presentación. Precisamente allí en Presentación estaban dando esas clases de formación para líderes. Una de las cosas que dijo allí uno de los pastores es que aquel que dejaba de ser pastor perdía toda identidad. No me gustó esa palabra porque yo pienso que la identidad la pierde el hombre cuando deja de relacionarse con Dios no precisamente cuando deja de ser pastor.

REDACTED

¿Por qué dejaste de ser pastor?

REDACTED

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Yo dejé de ser pastor por dos razones. Primero porque me está separando de mi esposa no podíamos caminar juntos en la espiritualidad. Yo tenía que ir por un camino, y a ella la hice sufrir mucho. Yo me di cuenta que la estaba haciendo sufrir. Me di cuenta que en talleres de oración allí sí podíamos trabajar los dos juntos. Yo se los comuniqué a ellos, y a ellos no les gustó esa comunicación que yo les di. Me dijeron que yo tenía una alianza con ellos, y que no la podía dejar. Entonces yo les dije: yo no tengo ninguna alianza con el Padre Ugarte, yo tengo una alianza con el Señor. Yo esa alianza la voy a respetar porque voy a seguir trabajando para El dentro de talleres de oración. Así es que sólo este año voy a servir, yo me voy a retirar. Eso causó una gran revuelta dentro de los pastores de allí y dentro de los pastores de Presentación hasta el caso de que una vez fui allá, y recibí una reprimenda de uno de los pastores allá en Presentación. ¿Qué por qué tuve yo que haber dicho eso? Yo le dije: pues porque es la verdad, y a mí me gusta hablar con la verdad. Yo siento que hay cosas que no me gustan aquí, y entonces prefiero retirarme y trabajar donde pueda yo servir a lado de mi esposa. Porque yo sé Dios me ha unido con ella, y nadie me puede separar de ella.

REDACTED

¿Hubo comunicación con el padre mientras que él estaba de sabático?

REDACTED

Los pastores si tenían mucha comunicación.

REDACTED

¿Qué tipo de comunicación?

REDACTED

Cartas, por teléfono.

REDACTED

¿Está seguro?

REDACTED

Sí, yo tengo las cartas que él les escribía de allá para acá. Hay cartas escritas. Yo las tengo porque nos la dieron a todos los pastores.

REDACTED

¿El estaba conduciendo el grupo desde lejos?

REDACTED

Desde lejos, sí. Exactamente. Los sigue conduciendo así tanto a Presentación, a San Matías, y a Pio X.

REDACTED

¿Tú tienes esas cartas que él escribía desde lejos?

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REDACTED

Sí.

REDACTED

Conduciendo su grupo desde su sabático.

REDACTED

Sí, conduciéndoles y escribía cartas personalmente a cada pastor según. A mi nunca me escribió.

194672

CONFIDENTIAL

VICAR FOR CLERGY NOTES REV. JOSE UGARTE FEBRUARY 15, 1994

Pius X

██████:

- No facts--but things I've heard
- The youth leadership did go to a "retreat" two weekends ago ("in the mountains")
- The adult coordinator told me that the leadership receives their training from a group at Presentation.
- ██████ said the January "sanacion" Mass
- No evidence of Ugarte's return to parish

██████:

- I met with pr. group leadership at Presentation and Pius X
- 2 houses
- The leadership weekends are scheduled for every weekend at Big Bear (2 houses)
- ██████ (Pius X)(Hispanic ministry in parish and Archdiocese: She knows of someone who was in leadership at Pius X
- Met with pr. group leadership: ████████ = president
20 people showed up. ████████ = there. The sense I got was they need leadership and Ugarte filled that while there--but they do not seem "controlled" by him at present. Influenced, but not controlled
- At Presentation: great affection--"til the day they die"--Ugarte married every one of them and baptized them.
- Presentation parish has no sense of his situation--"he's waiting for his Church" (assignment)--so they probably think he can say Mass and celebrate sacraments...
- Both Presentation and St. Pius X = very willing to cooperate with Archdiocesan Council (run by ████████).

THE PEOPLE SEEM VERY OPEN TO MY COMING TO DO A MASS.

██████:

- The juvenes (Resurrection) keep going regularly (couple of times a month). Ugarte is the one leading their retreats...sometimes a group of 25-30, other times only the "pastores". (The Pastores are 5 in number.

██████████ (cont.):

- They are now wanting to open another house for muchachas--with VOTOS
- One father told me his 15-year-old girl wanted to join this house, and he didn't know what to do
- ██████████ only ministry (apart from sacraments) = the juvenes
- These juvenes need ██████████ permission to participate in other activities, e.g., one young man left to get married, and ██████████ told him he couldn't return to the parish because he "broken his vows"--the girl didn't think she could go to confession

Pedro:

Do we know if ██████████ made vows to Ugarte?

██████████:

- I ██████████ changed the choir, and when told he couldn't do that without consulting him (██████████) as Pastor, ██████████ said he didn't have to. ██████████ said "I'm the Pastor." ██████████ [[said] "You think you're the Pastor."
- The "pastores" listen only to Christian music; have a chapel in the garage, and meet with members of Presentation [[parish].

██████████:

? I don't know if the youth group leaders have stronger ties than the adult group.



*cross filed
in [redacted] file.*

MEMORANDUM

Memo: February 15, 1994
 To: Monsignor Tim Dyer
 From: Fr. [redacted]
 Re: Parish Prayer Groups and Father Ugarte

Recommendations:

Monsignor Tim Dyer:

Talk with respect but clearly to Fr. [redacted]

- ask if he is connected to Fr. Ugarte through some sort of vows of obedience or whatever.
- in June of '94 reassign Fr. [redacted] to another parish with good supervision and clear direction.
- do not allow him to work with the youth in his new assignment.

Talk to Fr. Ugarte

- rescind his faculties

Visit the prayer groups and their leadership at the following parishes:

- Resurrection
- Presentation
- St. Matthias
- St. Pius X

A clear explanation of the situation with Fr. Ugarte is to be given to the people with time allowed for questions and answers.

Pastors of the above named parishes ^{are to be} informed of the need to work closely with the prayer groups and to give them clear leadership and attention. In regards to St. Pius X and Presentations parishes, perhaps there should be new pastors assigned.

The Office of Religious Education and the Office of Hispanic Ministry will collaborate in providing a formation process for each of these prayer groups after the parish visits.

Marzo 7, 1994

Rev. Msgr. Timothy J. Dyer
1531 W. Ninth St.
L.A., CA 90015

Estimado Monseñor,

Que la paz y el consuelo del Señor llenen su ser entero hoy y por siempre.

Después de hablar por teléfono con su secretaria el 20 de Noviembre de 1993 dándole mi teléfono privado, asimismo después de visitar a mi madre enferma de cáncer en España y, finalmente, después de orar y reflexionar sobre mi situación personal, hoy me dirijo a Usted confiándole los siguientes puntos de vista.

Es mi decisión irrevocable ser sacerdote hasta el final de mi vida y jamás renunciaré a ser sacerdote de la Arquidiócesis de Los Angeles. Asimismo, deseo vivir como sacerdote y solo como sacerdote hasta el final de mis días.

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Sin embargo, he creído que era mi deber el consultar y pedir consejo a peritos en Derecho Canónico. Se me ha dicho que tengo obligaciones y también derechos. Y estoy dispuesto a hacer uso de ambos.

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Finalmente, y en caso de conflicto, se me dijo tener el derecho del recurso de apelación a la Congregación del Clero en Roma.

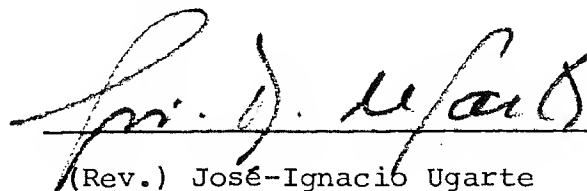
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Finalmente, adjunto una carta original de mi médico donde se atestigua sobre mi condición de artritis crónica en la parte inferior de mi columna vertebral.

Es mi deseo y mi oración que el Señor lo bendiga siempre en abundancia."

En Cristo, Sacerdote



(Rev.) José-Ignacio Ugarte

N.B.: Esta carta es personal y confidencial.

Marzo 7, 1994

Rev. Msgr. Timothy J. Dyer
1531 W. Ninth St.
L.A., CA 90015

Estimado Monseñor,

Que la paz y el consuelo del Señor llenen su ser entero hoy y por siempre.

Después de hablar por teléfono con su secretaria el 20 de Noviembre de 1993 dándole mi teléfono privado, asimismo después de visitar a mi madre enferma de cáncer en España y, finalmente, después de orar y reflexionar sobre mi situación personal, hoy me dirijo a Usted confiándole los siguientes puntos de vista.

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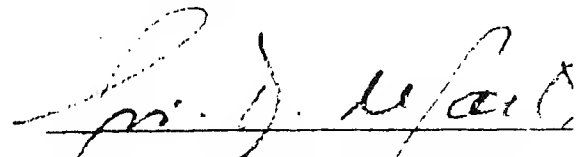
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ENGLISH TRANSLATION

March 7, 1994

Rev. Msgr. Timothy J. Dyer
1531 West Ninth Street
Los Angeles, CA 90015

Dear Monsignor:

Greetings, etc.

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I have always been, and am today, willing to obey the canonical laws of the Church and the laws of the Archdiocesan Synod.

Of course, before anything, I am willing always to obey God and do His will for me at any moment. My only intention has always been to be the delight of God's heart, and do everything for His glory.

During my 22 years of priestly life in the Archdiocese of Los Angeles, I have always tried to live in middle of the poor and, with a clear conscience, I can say that I have never sought neither power nor control.

I feel proud to have loved with all my heart my communities, and to have worked zealously to lead them to the Lord, teaching them to be docile to the Spirit of the Lord, and inviting them incessantly to be just and holy, presenting them with a face of God that loves and forgives unconditionally all his children.

Knowing that my defender is the Lord, and that He will do justice in His given time, I will never open my mouth to defend myself. I know from experience that all that is sealed by the Lord and blessed by Him is accomplished when He so desires it to be. God's own power and

testimony, and that of the communities in which I have labored, is enough for me. In this ,I have placed my hope, and I will not be disappointed.

However, I have believed that it is my duty to consult with and ask advise of an advocate in Canon Law. I have been told that I have obligations and also rights. And I am willing to make use of both.

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Finally, and in case of conflict, I have been told that I have the right of the recourse of appeals to the Congregation of the Clergy in Rome.

It is my decision not to accept any final monetary amount, whether it be thousands or millions. I am only willing to receive a monthly amount to cover the basic necessities of my subsistence.

For the moment, although it has been difficult for me to get around due to the lack of needed transportation, I have tried to meet my obligations and promises as best possible.

Finally, I am attaching the original of a letter from my medical doctor where he attests to the condition of chronic arthritis in the lower part of my spinal column.

It is my desire and prayer that the Lord will bless you always in abundance.

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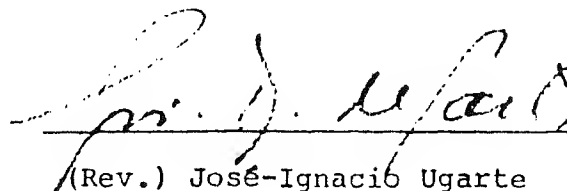
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In Christ, Priest

S/ Illegible
(Rev.) Jose-Ignacio Ugarte

P.S. This letter is personal and confidential.

3/11/94

Given to Msgr. [REDACTED] March '94.
This was a new card.

Msgr. [REDACTED] gave it to me today, 3/11/94

T. Dyer



FILE COPY

MEMORANDUM

TO: Tim Dyer

FROM: [REDACTED]

RE: Father Jose Ignacio Ugarte

DATE: 14 March 1994

As you requested, enclosed is a decree for the Cardinal's signature revoking the faculties of Father Ugarte.

Also enclosed is a copy of your letter to [REDACTED] when you took a similar action. I assume you can use this as a basis for a new letter.

With the new personnel changes coming, there is one item I would like to emphasize. Since the Vice-Chancellor will soon be a woman religious, **only the Chancellor or one of the priest-notaries of the Tribunal can formally witness this sort of document.** That is because canon 483, §2, specifically requires that "a priest must be the notary in cases in which the reputation of a priest can be called into question." To my mind, this is part of the discrimination against laity still present in the Code.

There may be some value in having a priest-notary named on the chancery side of things (e.g. perhaps [REDACTED]) to make things easier when Terry is away.

195061



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

DECREE

Acting in accord with the pastoral responsibility for the spiritual welfare of the portion of the People of God entrusted to me as Archbishop of Los Angeles (canon 381, §1), it has been determined that, at least for the present, no Archdiocesan assignment can be entrusted to Reverend Jose Ignacio Ugarte. It is also necessary under current circumstances for there to be a clear sign that Reverend Jose Ignacio Ugarte is not authorized to act in a formal priestly capacity in the public ministry of the Archdiocese. Given these facts, I hereby decree the following:

- 1) The faculties of the Archdiocese of Los Angeles which were heretofore entrusted to the Reverend Jose Ignacio Ugarte are hereby revoked in accord with the provisions of canon 142, §1. This reflects the fact that the cause for which those faculties were initially extended (i.e., an Archdiocesan assignment) has ceased and there is no longer any need for the authority of those faculties.
- 2) Furthermore, in accord with canon 764, I hereby revoke the faculty to preach of Reverend Jose Ignacio Ugarte since this authority is likewise no longer needed for the service of the People of God in Los Angeles.

It is my hope that the circumstances that have led to this action will be able to be remedied. Should that come to pass, new faculties for priestly ministry will be extended to Reverend Jose Ignacio Ugarte.

This revocation is effective immediately and is to be communicated in writing to the Reverend Jose Ignacio Ugarte.

Given at the Curia of the Archdiocese of Los Angeles this ____ day of _____ in the Year of Our Lord 1994.

Cardinal Roger M. Mahony
Archbishop of Los Angeles

Chancellor/Vice-Chancellor

195062

Archdiocesan Seal

AGREEMENT BETWEEN CARDINAL ROGER MAHONY, ARCHBISHOP OF LOS ANGELES
AND REVEREND JOSE I. UGARTE

Introduction:

At the time this agreement is entered, Reverend Jose I. Ugarte is an incardinated priest of the Archdiocese of Los Angeles who has no ecclesiastical office. The faculties of Father Ugarte were revoked in a decree dated March 17, 1994. No recourse was taken against that revocation. In addition, a precept was imposed on Reverend Ugarte on July 30, 1994, enjoining him from a number of specific activities.

Agreement:

I, Reverend Jose I. Ugarte, agree to:

- 1) Leave the United States and take up permanent residence in Spain no later than September 30, 1995.
- 2) Not to return to the United States without the express and written authorization of the Archbishop of Los Angeles for a period of seven years, ending September 15, 2002.
- 3) After September 15, 2002, not to return to the Archdiocese of Los Angeles without the express written authorization of the Archbishop of Los Angeles.
- 4) To conduct no public or private ministry in Spain other than a Mass at home for immediate members of my family, complying fully with the restrictions on any public ministry involved in the decree revoking my faculties of March 17, 1994, and the precept of July 30, 1994.
- 5) To report to Reverend Monsignor [REDACTED], Vicar General of the Diocese of Vitoria in Spain, for regular supervision.
- 6) To maintain contact with Bishop Jose Maria Larrauri Lafuente, of the Diocese of Vitoria in Spain, and abide by any further directions he may issue.
- 7) To secure employment in a secular occupation in order to become self-supporting.

I, Cardinal Roger M. Mahony, Archbishop of Los Angeles, agree to:

- 1) Close the penal procedure initiated by my decree of July 19, 1994, without any formal declaration that the penalty of excommunication was incurred.

- 2) Write the Congregation for the Doctrine of the Faith, reporting on the situation and this agreement and asking that, in light of this agreement, the Congregation remit the censure of excommunication insofar as it might have been incurred.
- 3) Continue to keep Reverend Jose I. Ugarte on the medical insurance plan of the Archdiocese of Los Angeles indefinitely.
- 4) Provide Reverend Jose I. Ugarte with a monthly stipend of \$400 beginning with the calendar month immediately following the signing of this agreement through December 1996. After that time, no further stipend will be provided, and Father Ugarte will be expected to support himself.
- 5) To inform Bishop Jose Maria Larrauri Lafuente of the Diocese of Vitoria of the status of Father Ugarte, of the terms of this agreement, seeking his assistance in monitoring that its provisions are fulfilled.

The terms of this agreement are fully binding and can only be modified by a mutual and written agreement between Father Ugarte and the Archbishop of Los Angeles. Should Father Ugarte fail to abide by its provisions, that failure shall be deemed a violation of his obligation of priestly obedience (canon 273) and will subject him to the possibility of ecclesiastical penalties under the provision of canon 1371-(2).

Rev. Jose I. Ugarte

Date

Cardinal Roger M. Mahony

Date

Witness

Date

Witness

Date



Archdiocese of Los Angeles

Office of
the Archbishop1531
West Ninth
StreetLos Angeles
California
90015-1194

D E C R E E

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This revocation is effective immediately and is to be communicated in writing to the Reverend Jose Ignacio Ugarte.

Given at the Curia of the Archdiocese of Los Angeles this 17 day of March in the Year of Our Lord 1994.

+ Roger Cardinal Mahony
Cardinal Roger M. Mahony
Archbishop of Los Angeles

Terrence J. Flannery
Chancellor/Vice-Chancellor

Archdiocesan Seal

25433

Pastoral Regions: Our Lady of the Angels San Fernando San Gabriel San Pedro Santa Barbara

XXXIII 000208


"Dios nos ama"



Rev. Jose-Ignacio Ugarte
REDACTED

"Sí, estoy dispuesto"

REDACTED

YOU MAY
WANT CARDINAL
TO SEE THIS
BEFORE THE
APPOINTMENT
~~FOR~~ THURSDAY


194784

PHONE CONVERSATION 3/29/94

~~CONFIDENTIAL~~

VICAR FOR CLERGY NOTES

REV. JOSE UGARTE

March 29, 1994

Jose Ugarte// [REDACTED] (SLI) - Consultation by phone

Mr. [REDACTED] Keep in mind when Father Ugarte comes to see the Cardinal:
He is imperturbable--in a clinical sense--meaning that very little from the outside world will disturb his tranquility. Meaning that confrontation, commands, threats will have little impact on him. His internal drives are strong and his capacity to be affected by outside events is correspondingly lessened. He is not bothered by things that would stop others in their tracks. He will play on your sympathies. He will apologize for lack of communication and play the victim so well that you may even have some misgivings yourself. He will appear sincere. He will play the victim in a convincing way. He will be apologetic, humble, and be the victim--all the while letting you know how sincere and devoted he is to the Pope, the Blessed Virgin Mary, the Cardinal, his priesthood.

194785

XXXIII 000220



*This letter was
+ related and
sent in Spanish
dated 3/24*

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

March ^{nb 29th} 30, 1994

Rev. Jose Ugarte
[REDACTED]
[REDACTED]

Dear Father Ugarte:

I wish to acknowledge your letter of March 7, 1994. For the first time since your return from St. Luke's on November 2, I am in receipt of your address in Big Bear. Your reference to having spoken to my secretary on November 20, 1993 came as a complete surprise. I had been waiting intently to hear from you, since our conversation by phone on November 1, when you told me you could not give me an address, but would call me "within two days of your arrival" in Los Angeles on November 2. Having received your March 7 letter, I checked and found that one of my secretaries had indeed spoken to you on November 20, but had never passed the message on to me. For this I send my sincere apology.

I will now proceed to request a check for the months during which you have not received the equivalent of a salary, i.e., from November 1993 through March 1994, and send it to your address in [REDACTED]. Your health insurance premiums have continued to be paid by the Archdiocese throughout that period, just as they were paid during your Sick Leave, which began in April 1993, and throughout your residential treatment at St. Luke's.

As you are aware, at present you have no Archdiocesan assignment. Given the current circumstances and the Cardinal's responsibility to foster the spiritual welfare of the People of God in Los Angeles, I am writing to inform you that Cardinal Mahony has revoked your Archdiocesan faculties and your faculty to preach, in accord with his authority under Canons 142 s.1 and 764. His decree to that effect is enclosed.

The faculties were initially extended to enable you to fulfill the responsibilities connected with your assignment as a priest. Since the purpose for which those faculties were entrusted to you has ceased, this revocation simply reflects your present status. This action in no way affects your basic canonical status as an incardinated priest of the Archdiocese of Los Angeles. It does not affect your ability to continue to celebrate a private Mass for yourself, nor your ability under Canon 976 to absolve sins for a penitent in danger of death.

25169

Rev. Jose Ugarte

Page 2

As regards your present situation, we have received numerous reports from priests and laity in the parishes of Presentation, Los Angeles; Resurrection, Los Angeles; and St. Pius X, Santa Fe Springs that you have participated in frequent weekend retreats for young adults and adult prayer groups at your cabin in Big Bear since your return to Los Angeles in late 1993. While many of your devoted followers did not wish to talk about this participation, it seems clear from the investigation by Father [REDACTED] Mr. [REDACTED] (of the Office of Hispanic Ministry), and myself that you have continued to present yourself as, and continued to minister as, a priest in good standing.

It was specifically reported by young adults in Resurrection Parish and the "pastorcitos" in St. Pius X Parish that you have been giving "prophecies" to individuals (which in the case of the "pastorcitos" of the young adult group in Resurrection Parish are recorded in their individual notebooks and held to be direct messages from God for their personal lives).

In addition, it was reported that you have participated in giving "sharings" and teachings to these retreat groups, and there is one report that you have celebrated Mass for them.

We were also given to understand that you are present for and encourage the midnight "pactos" made on retreat at Big Bear, by which young adults promise celibacy and obedience under a priest's direction, with no knowledge or approval of their Pastors or the Archbishop of Los Angeles.

We are aware that six young men in Resurrection Parish, known as "pastorcitos", have rented a house together, which is known throughout the parish, according to Monsignor Moretta, as "Father's house". While this refers specifically to Father [REDACTED] he has informed me that it was modeled precisely after the kinds of houses you set up in Presentation Parish years ago.

Furthermore, and in keeping with your practice at Presentation Parish, a young women's house has been opened in Resurrection Parish during the last ~~three~~ months by three women and one 16-year-old girl. Monsignor [REDACTED] has told me that the parents of these young women have pleaded with him to do something to get their daughters to move back home. The parents indicate that their daughters profess themselves to be bound by your prophecies and their "pactos" of celibacy and obedience.

Your continued activity in ministry is in violation of the oral agreements, made at St. Luke Institute in the office of your therapist, [REDACTED] and witnessed by Monsignor Richey, to refrain from ministry and to begin an aftercare program following your time at St. Luke's. Because of this violation, and because people were not aware of your status, Father [REDACTED], Mr. [REDACTED], and I have had to visit the above-named parishes to impart the Cardinal's decision to revoke your faculties and

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Rev. Jose Ugarte

Page 3

to therefore instruct parish leaders, on behalf of their Pastors, to refrain from sending retreat groups to your cabin in Big Bear. In each instance, our announcement was received with shock and anger on the part of the members of these prayer groups and youth groups, who profess such devotion to you that their Pastors are left with difficult situations to manage.

These parishioners were upset because they could not imagine a basis for the Cardinal's decision to revoke your faculties and remove you from Archdiocesan ministry. You, on the other hand, know very well from your evaluation and residency at St. Luke's what the basis for his action is. You are well aware that the final report from St. Luke's included a poor prognosis for your full recovery, despite six months of intensive therapy. You know, as was reported to us by your therapist, that the priests who made up your therapy group considered you still at risk of acting out sexually at the time you were concluding your residency at St. Luke's.

By continuing your ministry to young adults and parishioners who know nothing of your sexual misconduct, you have, perhaps unintentionally, put the Archbishop in a position where his integrity was questioned and his person derided by individuals at a meeting on March 24 at St. Pius X Parish, as witnessed by myself, [REDACTED], and [REDACTED]. This occurred because I could not share the confidential reasons for your removal from ministry, and people questioned whether the Cardinal's decision had been based on the reports of your enemies, or perhaps on pure "chisme". Several individuals at that meeting said that you would continue to be their priest, no matter what decisions were made by the Archbishop, and their remarks met with general applause from the 75 parishioners present.* It is clear that you have encouraged them to see you as a priest in good standing, as evidenced by the copy of your calling card that is attached.

It is time for you to meet with your Archbishop, Cardinal Mahony, to determine whether you are willing to abide by his direction as regards ministry and a personal program for recovery.

You may call me at any time regarding these matters, or you may contact Monsignor [REDACTED] to make an appointment with Cardinal Mahony.

Sincerely yours,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

25171

added to the Spanish version — sent to Fr. Ugarte on 3/29/94:

* To quote one specific remark: "Pope or no Pope, Archbishop or no Archbishop, he (Fr. Ugarte) is still our Father." A similar remark was made at Presentation parish on March 7th (with 200 people present): "Archbishop or no Archbishop, Fr. Ugarte will continue to be our priest." While you may have never in fact taught this kind of thinking, it would appear to have been taught

XXXIII 000231



FILE COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

Marzo 29 de 1994.

Presbítero José-Ignacio Ugarte
[REDACTED]
[REDACTED]

Estimado Padre Ugarte:

Deseo acusar recibo de su carta del 7 de marzo de 1994. Por primera vez desde su regreso de St. Luke el 2 de noviembre, obra en mi poder su dirección en Big Bear. Su alusión de que habló con mi secretaria el 20 de noviembre de 1993 me tomó totalmente por sorpresa. Desde nuestra conversación telefónica del 1º de noviembre cuando me dijo que no me podía dar una dirección, pero que me "llamaría a los dos días de su llegada" a Los Angeles el 2 de noviembre, he estado esperando asiduamente tener noticias suyas. Habiendo recibido su carta del 7 de marzo, confirmé y averigüé que una de mis secretarias efectivamente había hablado con usted el 20 de noviembre, pero que nunca me pasó su recado. Por tal motivo, le ofrezco una sincera disculpa.

Ahora proseguiré a solicitar un cheque por los meses durante los cuales no percibió un sueldo, esto es de Noviembre de 1993 a Marzo de 1994, y se lo enviaré a su dirección en la Ciudad de Big Bear. Durante todo este período, sus primas del seguro médico han continuado siendo pagadas por la Arquidiócesis, justamente como fueron pagadas durante su licencia por enfermedad la cual empezó en Abril de 1993, así como durante toda su estancia de su tratamiento en St. Luke.

Como comprenderá, actualmente no tiene una asignación Arquidiocesana. Dadas las actuales circunstancias y la responsabilidad del Cardenal de fomentar el bienestar espiritual del Pueblo de Dios en Los Angeles, le escribo para informarle que el Cardenal Mahony le ha revocado sus facultades Arquidiocesanas así como la facultad de predicar de acuerdo con su autoridad bajo las leyes canónicas 142 §1 y 764. Le adjunto una copia de su decreto. Inicialmente las facultades se le fueron otorgadas para capacitarlo a llevar a cabo las responsabilidades relacionadas con su asignación como sacerdote. Debido a que el propósito por el cual esas facultades se le fueron confiadas a usted ha terminado, esta revocación simplemente refleja su actual estado legal. Esta acción de ninguna manera le afecta a su fundamental estado canónico como un

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sacerdote incardinado a la Arquidiócesis de Los Angeles. Esto no altera su capacidad de continuar celebrando Misa privada para usted mismo o su capacidad de absolver los pecados de un penitente en peligro de muerte conforme a el Canon 976.

Con respecto a su actual situación, hemos recibido numerosos reportes de sacerdotes y laicos de las Parroquias de Presentación en Los Angeles; Resurrección en Los Angeles; y San Pio X en Santa Fe Springs de que desde que regresó a Los Angeles a fines de 1993 los fines de semana usted ha participado en frecuentes retiros para adultos jóvenes y grupos de oración para adultos en su cabaña de Big Bear. En tanto que muchos de sus fieles seguidores no quisieron hablar acerca de esta participación, es evidente que después de la investigación hecha por el Padre [REDACTED], el Señor [REDACTED] (de la Oficina de Ministerio Hispano) y por mí mismo que usted ha continuado presentándose y ejerciendo su ministerio como un sacerdote de buena reputación.

Unos adultos jóvenes de la Parroquia de Presentación así como los "pastorcitos" de la Parroquia de San Pio X dieron un reporte específico de que usted les había hecho unas "profecías" a individuos (que en el caso de los "pastorcitos" de jóvenes adultos de la Parroquia de Resurrección han anotado en sus libretas individuales, y los aceptan como mensajes directos de Dios para su vidas personales). Además, fue reportado que usted ha anunciado y hecho "confidencias" y enseñanzas a estos grupos de retiro, y existe un reporte que usted ha celebrado Misa para ellos.

También se nos dio a entender que sin el conocimiento o aprobación de sus párrocos o el Arzobispo de Los Angeles, en Big Bear usted está presente y fomenta los "pactos" que se llevan a cabo a media noche durante los cuales los adultos jóvenes, bajo la dirección de un sacerdote, prometen obediencia y celibato.

Hemos sido informados que seis muchachos de la Parroquia de Resurrección, conocidos como "pastorcitos," han rentado una casa la cual es conocida por toda la parroquia, de acuerdo a Monseñor [REDACTED], como la "Casa del Padre." En tanto que esto se refiere específicamente a el Padre [REDACTED], él me ha informado que fue moldeada precisamente como el tipo de casas que usted estableció en la Parroquia de Presentación hace varios años.

Además, siguiendo su práctica de la Parroquia de Presentación, el mes pasado tres mujeres y una muchacha de dieciséis años abrieron una casa para muchachas en la Parroquia de Resurrección. Monseñor [REDACTED] me ha dicho que los padres de estas jovencitas le han suplicado que haga algo para que sus hijas regresen a sus hogares. Los padres indicaron que sus hijas se prometieron a sí mismas estar unidas a sus profecías y sus "pactos" de celibato y obediencia.

El que usted continúe ejerciendo su ministerio viola las promesas verbales hechas en el Instituto St. Luke en la oficina de su terapeuta, [REDACTED], las cuales fueron testificadas por Monseñor Richey, en la que prometía abstenerse de ejercer su ministerio y de comenzar un programa de convalecencia después de su estancia en St. Luke. Debido a esta violación y porque la gente no estaba enterada de su estado civil, el Padre [REDACTED], el Señor [REDACTED] y yo hemos tenido que visitar las parroquias anteriormente mencionadas para comunicarles la decisión del Cardenal de revocarle sus facultades. Por lo consiguiente, se les informó a los líderes de la parroquia, en nombre de sus párrocos, de abstenerse de enviar grupos de retiros a su cabaña de Big Bear. En cada ocasión, nuestro aviso causó una sacudida y enojo por parte de los miembros de estos grupos de oración así como los grupos de los jóvenes, quienes le habían prometido su lealtad ya que los párrocos se quedaron con situaciones muy difíciles de manejar.

Estos feligreses estaban enojados porque no se podían imaginar la base de la decisión del Cardenal de revocarle sus facultades y quitarlo de su ministerio de la Arquidiócesis. Usted, por otro parte, sabe muy bien la base de su decisión por la evaluación y residencia en St. Luke. Está bien consciente del reporte final de St. Luke que incluía un pronóstico desfavorable de su recuperación total a pesar de seis meses de terapia intensiva. Cuando terminó su residencia en St. Luke, usted sabía, como nos lo fue reportado por su terapeuta que los sacerdotes que integraban su grupo de terapia aún lo consideran en riesgo de actuar sexualmente.

El que usted continúe ejerciendo su ministerio hacia los adultos jóvenes y feligreses que no están enterados de su mala conducta sexual, tal vez, usted involuntariamente, puso al Arzobispo en una situación donde su integridad fue puesta en duda y su persona fue ridiculizada por individuos en una junta el pasado 24 de marzo en la Parroquia de San Pio X, como lo testifiqué yo mismo, el Padre [REDACTED] y [REDACTED]. Esto ocurrió porque no pude notificar las razones confidenciales por su destitución del ministerio, y la gente preguntaba si la decisión del Cardenal había estado basada en los reportes de sus enemigos, o tal vez por simples "chismes." En esa junta, varios individuos dijeron que usted continuaría siendo su sacerdote, sin importar las decisiones hechas por el Arzobispo, y sus comentarios concordaban con el aplauso de los 75 feligreses que estaban presentes. Para citar un comentario específico, "Papa o no Papa, Arzobispo o no Arzobispo, él (Ugarte) aún es nuestro Padre."

Un comentario similar fue hecho en la Parroquia de Presentación el 7 de marzo frente a 200 personas presentes -- "Arzobispo o no Arzobispo, el Padre Ugarte continuará siendo nuestro sacerdote." En tanto que usted nunca les haya enseñado este tipo de idea, pareciera que hubiese sido enseñada en espíritu. Es

Padre José-Ignacio Ugarte

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obvio que usted los ha alentado a que lo vean como a un sacerdote de buena reputación como lo demuestra una copia de su tarjeta de presentación la cual adjunto.

Ya es tiempo de que se encuentre con su Arzobispo, el Cardenal Mahony, para determinar si está usted dispuesto a cumplir con su dirección con lo que respecta a su ministerio y un programa personal de recuperación.

Usted puede llamarme cuando desee con respecto a estos asuntos, o puede llamar a Monseñor ~~Timothy Dyer~~ para hacer una cita con el Cardenal Mahony.

Sinceramente,

Timothy J. Dyer

(Monseñor) Timothy Dyer
Vicario para los Clérigos

Anexos

~~Timothy Dyer~~

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XXXIII 000235



MEMORANDUM

March 29, 1994

FROM: MSGR. TIMOTHY DYER

TO: CARDINAL MAHONY

RE: REV. JOSE UGARTE

Attached is a letter I propose to send to Father Ugarte.
It has already been translated into Spanish by [REDACTED].

I present it to you for your approval, comments, additions,
changes, etc.

*Very well done! I presume that [REDACTED]
has concurred -*

Thanks!

+ Rm k

3-29-94



*This letter was
transmitted and
sent in Spanish
dated 3/24*

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

March ^{29th} 30, 1994

Rev. Jose Ugarte
[REDACTED]
[REDACTED]

Dear Father Ugarte:

I wish to acknowledge your letter of March 7, 1994. For the first time since your return from St. Luke's on November 2, I am in receipt of your address in Big Bear. Your reference to having spoken to my secretary on November 20, 1993 came as a complete surprise. I had been waiting intently to hear from you, since our conversation by phone on November 1, when you told me you could not give me an address, but would call me "within two days of your arrival" in Los Angeles on November 2. Having received your March 7 letter, I checked and found that one of my secretaries had indeed spoken to you on November 20, but had never passed the message on to me. For this I send my sincere apology.

I will now proceed to request a check for the months during which you have not received the equivalent of a salary, i.e., from November 1993 through March 1994, and send it to your address in [REDACTED]. Your health insurance premiums have continued to be paid by the Archdiocese throughout that period, just as they were paid during your Sick Leave, which began in April 1993, and throughout your residential treatment at St. Luke's.

As you are aware, at present you have no Archdiocesan assignment. Given the current circumstances and the Cardinal's responsibility to foster the spiritual welfare of the People of God in Los Angeles, I am writing to inform you that Cardinal Mahony has revoked your Archdiocesan faculties and your faculty to preach, in accord with his authority under Canons 142 s.1 and 764. His decree to that effect is enclosed.

The faculties were initially extended to enable you to fulfill the responsibilities connected with your assignment as a priest. Since the purpose for which those faculties were entrusted to you has ceased, this revocation simply reflects your present status. This action in no way affects your basic canonical status as an incardinated priest of the Archdiocese of Los Angeles. It does not affect your ability to continue to celebrate a private Mass for yourself, nor your ability under Canon 976 to absolve sins for a penitent in danger of death.

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Rev. Jose Ugarte

Page 2

As regards your present situation, we have received numerous reports from priests and laity in the parishes of Presentation, Los Angeles; Resurrection, Los Angeles; and St. Pius X, Santa Fe Springs that you have participated in frequent weekend retreats for young adults and adult prayer groups at your cabin in Big Bear since your return to Los Angeles in late 1993. While many of your devoted followers did not wish to talk about this participation, it seems clear from the investigation by Father [REDACTED] Mr. [REDACTED] (of the Office of Hispanic Ministry), and myself that you have continued to present yourself as, and continued to minister as, a priest in good standing.

It was specifically reported by young adults in Resurrection Parish and the "pastorcitos" in St. Pius X Parish that you have been giving "prophecies" to individuals (which in the case of the "pastorcitos" of the young adult group in Resurrection Parish are recorded in their individual notebooks and held to be direct messages from God for their personal lives).

In addition, it was reported that you have participated in giving "sharings" and teachings to these retreat groups, and there is one report that you have celebrated Mass for them.

We were also given to understand that you are present for and encourage the midnight "pactos" made on retreat at Big Bear, by which young adults promise celibacy and obedience under a priest's direction, with no knowledge or approval of their Pastors or the Archbishop of Los Angeles.

We are aware that six young men in Resurrection Parish, known as "pastorcitos", have rented a house together, which is known throughout the parish, according to Monsignor [REDACTED], as "Father's house". While this refers specifically to Father [REDACTED], he has informed me that it was modeled precisely after the kinds of houses you set up in Presentation Parish years ago.

Furthermore, and in keeping with your practice at Presentation Parish, a young women's house has been opened in Resurrection Parish during the last ~~three~~ month by three women and one 16-year-old girl. Monsignor [REDACTED] has told me that the parents of these young women have pleaded with him to do something to get their daughters to move back home. The parents indicate that their daughters profess themselves to be bound by your prophecies and their "pactos" of celibacy and obedience.

Your continued activity in ministry is in violation of the oral agreements, made at St. Luke Institute in the office of your therapist, [REDACTED] and witnessed by Monsignor Richey, to refrain from ministry and to begin an aftercare program following your time at St. Luke's. Because of this violation, and because people were not aware of your status, Father [REDACTED], Mr. [REDACTED], and I have had to visit the above-named parishes to impart the Cardinal's decision to revoke your faculties and

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XXXIII 000238

Rev. Jose Ugarte

Page 3

to therefore instruct parish leaders, on behalf of their Pastors, to refrain from sending retreat groups to your cabin in Big Bear. In each instance, our announcement was received with shock and anger on the part of the members of these prayer groups and youth groups, who profess such devotion to you that their Pastors are left with difficult situations to manage.

These parishioners were upset because they could not imagine a basis for the Cardinal's decision to revoke your faculties and remove you from Archdiocesan ministry. You, on the other hand, know very well from your evaluation and residency at St. Luke's what the basis for his action is. You are well aware that the final report from St. Luke's included a poor prognosis for your full recovery, despite six months of intensive therapy. You know, as was reported to us by your therapist, that the priests who made up your therapy group considered you still at risk of acting out sexually at the time you were concluding your residency at St. Luke's.

By continuing your ministry to young adults and parishioners who know nothing of your sexual misconduct, you have, perhaps unintentionally, put the Archbishop in a position where his integrity was questioned and his person derided by individuals at a meeting on March 24 at St. Pius X Parish, as witnessed by myself, Father [REDACTED], and [REDACTED]. This occurred because I could not share the confidential reasons for your removal from ministry, and people questioned whether the Cardinal's decision had been based on the reports of your enemies, or perhaps on pure "chisme". Several individuals at that meeting said that you would continue to be their priest, no matter what decisions were made by the Archbishop, and their remarks met with general applause from the 75 parishioners present. * It is clear that you have encouraged them to see you as a priest in good standing, as evidenced by the copy of your calling card that is attached.

It is time for you to meet with your Archbishop, Cardinal Mahony, to determine whether you are willing to abide by his direction as regards ministry and a personal program for recovery.

You may call me at any time regarding these matters, or you may contact Monsignor Kevin Kostelnik to make an appointment with Cardinal Mahony.

Sincerely yours,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

25389

Added to the Spanish version — sent to Fr. Ugarte on 3/29/94:

* To quote one specific remark: "Pope or no Pope, Archbishop or no Archbishop, he (Fr. Ugarte) is still our Father." A similar remark was made at Presentation parish on March 7th (with 200 people present): "Archbishop or no Archbishop, Fr. Ugarte will continue to be our priest." While you may

XXXIII 000239

PHONE CONVERSATION 3/29/94

CONFIDENTIAL

VICAR FOR CLERGY NOTES

REV. JOSE UGARTE

March 29, 1994

Jose Ugarte// [REDACTED] (SLI) - Consultation by phone

Mr. [REDACTED] Keep in mind when Father Ugarte comes to see the Cardinal:

He is imperturbable--in a clinical sense--meaning that very little from the outside world will disturb his tranquility. Meaning that confrontation, commands, threats will have little impact on him. His internal drives are strong and his capacity to be affected by outside events is correspondingly lessened. He is not bothered by things that would stop others in their tracks. He will play on your sympathies. He will apologize for lack of communication and play the victim so well that you may even have some misgivings yourself. He will appear sincere. He will play the victim in a convincing way. He will be apologetic, humble, and be the victim--all the while letting you know how sincere and devoted he is to the Pope, the Blessed Virgin Mary, the Cardinal, his priesthood.



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Marzo 29 de 1994.

Presbítero José-Ignacio Ugarte
[REDACTED]
[REDACTED]

Estimado Padre Ugarte:

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Padre José-Ignacio Ugarte

Página 2

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25425

XXXIII 000242

El que usted continúe ejerciendo su ministerio viola las promesas verbales hechas en el Instituto St. Luke en la oficina de su terapeuta, [REDACTED], las cuales fueron testificadas por Monseñor Richey, en la que prometía abstenerse de ejercer su ministerio y de comenzar un programa de convalecencia después de su estancia en St. Luke. Debido a esta violación y porque la gente no estaba enterada de su estado civil, el Padre [REDACTED], el Señor [REDACTED] y yo hemos tenido que visitar las parroquias anteriormente mencionadas para comunicarles la decisión del Cardenal de revocarle sus facultades. Por lo consiguiente, se les informó a los líderes de la parroquia, en nombre de sus párrocos, de abstenerse de enviar grupos de retiros a su cabaña de Big Bear. En cada ocasión, nuestro aviso causó una sacudida y enojo por parte de los miembros de estos grupos de oración así como los grupos de los jóvenes, quienes le habían prometido su lealtad ya que los párrocos se quedaron con situaciones muy difíciles de manejar.

Estos feligreses estaban enojados porque no se podían imaginar la base de la decisión del Cardenal de revocarle sus facultades y quitarlo de su ministerio de la Arquidiócesis. Usted, por otro parte, sabe muy bien la base de su decisión por la evaluación y residencia en St. Luke. Está bien consciente del reporte final de St. Luke que incluía un pronóstico desfavorable de su recuperación total a pesar de seis meses de terapia intensiva. Cuando terminó su residencia en St. Luke, usted sabía, como nos lo fue reportado por su terapeuta que los sacerdotes que integraban su grupo de terapia aún lo consideran en riesgo de actuar sexualmente.

El que usted continúe ejerciendo su ministerio hacia los adultos jóvenes y feligreses que no están enterados de su mala conducta sexual, tal vez, usted involuntariamente, puso al Arzobispo en una situación donde su integridad fue puesta en duda y su persona fue ridiculizada por individuos en una junta el pasado 24 de marzo en la Parroquia de San Pio X, como lo testifiqué yo mismo, el Padre [REDACTED], y Louis [REDACTED]. Esto ocurrió porque no pude notificar las razones confidenciales por su destitución del ministerio, y la gente preguntaba si la decisión del Cardenal había estado basada en los reportes de sus enemigos, o tal vez por simples "chismes." En esa junta, varios individuos dijeron que usted continuaría siendo su sacerdote, sin importar las decisiones hechas por el Arzobispo, y sus comentarios concordaban con el aplauso de los 75 feligreses que estaban presentes. Para citar un comentario específico, "Papa o no Papa, Arzobispo o no Arzobispo, él (Ugarte) aún es nuestro Padre."

Un comentario similar fue hecho en la Parroquia de Presentación el 7 de marzo frente a 200 personas presentes -- "Arzobispo o no Arzobispo, el Padre Ugarte continuará siendo nuestro sacerdote." En tanto que usted nunca les haya enseñado este tipo de idea, pareciera que hubiese sido enseñada en espíritu. Es

Padre José-Ignacio Ugarte

Página 4

obvio que usted los ha alentado a que lo vean como a un sacerdote de buena reputación como lo demuestra una copia de su tarjeta de presentación la cual adjunto.

Ya es tiempo de que se encuentre con su Arzobispo, el Cardenal Mahony, para determinar si está usted dispuesto a cumplir con su dirección con lo que respecta a su ministerio y un programa personal de recuperación.

Usted puede llamarme cuando desee con respecto a estos asuntos, o puede llamar a Monseñor [REDACTED] para hacer una cita con el Cardenal Mahony.

Sinceramente,

Timothy J. Dyer

(Monseñor) Timothy Dyer
Vicario para los Clérigos

Anexos

[REDACTED]

CONFIDENTIAL

MEMORANDUM

COPY

April 2, 1994

TO: Mr. [REDACTED]
FROM: Father Timothy Dyer
RE: Fr. Ugarte

As I mentioned to you and Fr. [REDACTED] during our meeting on March 31st, I have to be concerned, at this point, with an eventual canonical procedure in regard to Fr. Ugarte. To that end, I will have to compile testimony from individuals at the various parishes -- in particular, regarding his "ministry" since November 1993.

I have attached a copy of your 11/30/93 memo to me which mentions one such individual who may be helpful. (I have another note from December when Fr. [REDACTED] said [REDACTED] said Fr. Ugarte had definitely been "in contact all the time" he was away; unless, she's one of those we already saw, she would be another from whom we could take testimony.) I wonder if you could put together a list of people whom we might approach. I would likely then ask you to help me set up some meetings with these people, at which your acting as witness would be of great help.

Many thanks for all the help you have given in this matter to date.

Happy Easter season.



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

April 4, 1994

████████████████████
 St. Luke Institute
 2420 Brooks Drive
 Suitland, Maryland 20746-5294

Dear Dr. ██████████

Attached is a copy of a recent letter I sent (in a Spanish translation) to Father Jose Ugarte, along with an English translation of his letter of me of March 7.

This will update you on our experience with Father Ugarte since his departure from St. Luke's on November 2, 1993.

As a result of this experience, we have decided to put his Aftercare workshops at St. Luke's on hold, until we can be assured that he is ready to fulfill his Aftercare Contract.

I have spoken to ██████████, and I would appreciate your giving him copies of this correspondence, as well as giving the same to Father Ugarte's caseworker in the Aftercare program. If either of them wishes to make any response to this information, or to offer counsel as to what direction we should take with Father Ugarte, I would be most open to it.

Otherwise, I will communicate with you again once Father Ugarte has made contact and seen Cardinal Mahony.

Thank you for your continued service to our priests.

Sincerely yours,

(Rev. Msgr.) Timothy J. Dyer
 Vicar for Clergy
 ██████████

25165

Ugarte

MEMORANDUM

DATE: April 6, 1994

FROM: Monsignor Terry Richey

TO: Monsignor Timothy Dyer

RE: Summary of Phone Conversation with [REDACTED], St. Luke Institute,
March 30, 1994

Jose Ugarte has neither phoned or contacted St. Luke in any other way since his discharge.

[REDACTED] communicated to Fr. Ugarte her flight number, time of arrival, and asked about the location of the nearest Holiday Inn when she arranged the date and time of his re-entry workshop (Tuesday, November 23, 1993 at Nazareth House).

She was not met at the airport, called [REDACTED], who quickly picked her up and got her settled at a Holiday Inn.

Jose Ugarte showed up just in time for the workshop at Nazareth House the next day, said he had had no idea that he was expected to welcome her at the airport, and left immediately after the workshop, without any de-briefing. He got only three people to attend: [REDACTED], [REDACTED], and [REDACTED] of San Diego.

[REDACTED] said she phoned Fr. Dyer at 9 on the morning of the workshop day because of the apparent breakdown in communication. The person who answer the phone was unfamiliar with St. Luke's, suggested Ms. [REDACTED] call "Continuing Ed" when she mentioned "workshop", and finally took a message marked "urgent" for Fr. Dyer to return the phone call to [REDACTED]. She said she called again the same morning, after the workshop, and failed to get through again. She never heard from us.

After hearing a summary of Fr. Ugarte's behavior since his return, Ms. [REDACTED] agreed that urging any further aftercare would be absurd. She agreed to write an account of her experience of Fr. Ugarte's "minimalist" aftercare workshop for the canonical record.

[REDACTED]



Saint Luke Institute

CONFIDENTIAL

April 8, 1994

Reverend Monsignor Timothy Dyer
Archdiocese of Los Angeles
1531 West 9th Street
Los Angeles, California 90015

RE: Reverend Jose Ugarte
SLI NO: 12737

Dear Monsignor Dyer:

Pursuant to my telephone conversation with Father Terry Richey on March 31, 1994, I am writing to give some details of my experience with the scheduling of the Re-Entry Workshop for Father Jose Ugarte.

Father Ugarte and I first met on October 26 and 28, 1993 to discuss his Continuing Care Contract and to set a tentative date for his Re-Entry Workshop, which was going to be held on November 23. Father Ugarte felt that this date would be too soon after his return to Los Angeles on November 2, but a later date was not available because of my schedule and Father Ugarte's planned trip to Spain in early December. I stated that I did not think it would be beneficial to his recovery to put off the Re-Entry Workshop until February, when he was due back from Spain, because this would be more than three months after his discharge. It is my experience that recovery momentum is lost if too much time passes between the discharge date and the Re-Entry Workshop date.

Father Ugarte stated in his contract that he would call me weekly until the Re-Entry Workshop was held. I informed him about the Re-Entry Workshop format and included a reminder that he needed to let you or Father Richey know the date and time of the workshop. I told him that before and after the workshop, we would spend some time talking and processing his feelings about it. The first phone call I received from Father Ugarte was on November 15, and I asked him to make a hotel reservation for me at the closest Holiday Inn to Nazareth House, and I also gave him my flight information so he could pick me up at the airport. I said that I would speak to him again before I left for Los Angeles, and I asked him if he had informed you of the date of the workshop. He said no, but promised he would do so.

25161

Reverend Monsignor Timothy Dyer
RE: Reverend Jose Ugarte - SLI NO: 12737

April 8, 1994
Page 2

I called Father Ugarte again on November 19 to remind him of my flight times and to ask him if he had informed you of the workshop date and time. He stated that he left a message for you to call him. I stated that he needed to call you back and leave a detailed message about the workshop date and time.

When I arrived in Los Angeles at 7 PM on Monday, November 22, Father Ugarte was not there to meet me. I phoned his number in Big Bear City and left a message on his answering machine. I then phoned [REDACTED] back at Saint Luke to inform him of the situation. I then called Nazareth House, and another SLI graduate, who was at home, graciously offered to pick me up and took me to the Holiday Inn nearest Nazareth House. In my conversations with this other man, who was asked to be a support group member at Father Ugarte's workshop, I discovered that Father Ugarte had left all the details of planning the workshop, including arranging for the room and so forth, to his support group member rather than doing it himself. The next day, another support group member told me that he had not been informed about the workshop date and time until two nights earlier - a workshop that had been planned since October 28th.

I did not hear from Father Ugarte Monday night or Tuesday morning; I called him twice again after I had arrived at the hotel. I arrived at Nazareth House unsure of whether or not he was even going to come. I called your office and left a detailed message with your secretary with my name in information about the workshop, still unsure of whether or not you had received it. Father Ugarte arrived at 9:45 AM for the 10 AM workshop, and seemed quite surprised that I had expected him to meet me at the airport. When I asked him why he did not meet me there, he stated, "I did not know I was supposed to pick you up at the airport." I then asked him why he thought I had given him my flight information and asked him to make a hotel reservation for me (which he also had not done) and he said, "How could I come to pick you up? I told you I live two hours away from the city in Big Bear." When I asked him why he had not returned any of my phone calls, he then stated, "Well, I came down from the city yesterday afternoon so that I could stay overnight with friends so that I could be in the city for the workshop."

Father Ugarte left the workshop directly after it was over at 1:15 PM; we did not have time to talk about it then, nor did we have time to talk about it before the workshop began. Father Ugarte said good-bye and wished me a good trip back, and although I asked him to call me so that we could talk about the workshop, and to call me monthly after that until he was to return for his first Continuing Care Week back at Saint Luke, I have not heard from him since. Another support group member then offered to be of assistance, and we spent some time together and attempted to visit another SLI graduate.

25162

XXXIII 000255

Reverend Monsignor Timothy Dyer
RE: Reverend Jose Ugarte - SLI NO: 12737

April 8, 1994
Page 3

I hope this information is of some help to you. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

[REDACTED]

for

[REDACTED]

Continuing Care Therapist

[REDACTED]

MD, CPC

[REDACTED]

MDiv, CPC

Coordinator

Continuing Care Services

[REDACTED]

[REDACTED]

Director, Outpatient Department

Frank Valcour

Frank Valcour, MD

Medical Director and

Vice President for Medical Affairs

[REDACTED]
cc: Reverend Jose Ugarte

25163

XXXIII 000256

MEMORANDUM

DATE: May 12, 1994
 FROM: [REDACTED]
 TO: [REDACTED]
 RE: Rev. Jose Ugarte

PRIORITY

I've got to call in to him by noon on Tues - I'll give you a final answer (what will likely be no) - until then - pls hold on this.

I left a message on your tape yesterday about the following, but am not sure you got it o.k.

Father Ugarte called here and simply said to get him round trip tickets to Washington for May 23-27. [REDACTED]

[REDACTED] gave the call to me and I asked if this was for Aftercare. He said yes it was. I told him I would check with you for approval to purchase the tickets and if it was o.k. we would have the travel service send them to him. Asked for his address and got the Big Bear one (which we have) together with a phone number: [REDACTED]

I had some idea that perhaps he should be responding to you or seeing the Cardinal or some such before waltzing back for Aftercare!!

ENGLISH TRANSLATION

May 14, 1994

Rev. Msgr. Timothy J. Dyer
1531 West Ninth Street
Los Angeles, CA 90015

Dear Monsignor:

Greetings, etc.

By this letter, I acknowledge receipt during the first days of May of your personal letter, and I thank you sincerely for it.

However, I want to make clear my profound disagreement with the greater part of the content of your letter where I found incorrect information, a totally subjective interpretation of some facts, disagreeable innuendos and, I even go so far as to say, falsehoods bordering on a lying spirit.

Anyhow, I am not going to argue about the above. I have trusted unconditionally in Our Lord, who, by His infinite power and mercy, will act justly at His given time. I have waited on His spirit of truth and I will not be defrauded.

On to the second point: I want to comment because I consider it to be essential.

On October 25, 1993, at 12 Noon (Eastern Time), exactly one week before I returned to Los Angeles, I personally called you by telephone from the office of [REDACTED] and, in his presence. During said telephone conversation, I spoke with you about eight concrete points. While I was talking, [REDACTED] took notes of the entire conversation. So, this is all "on record".

One of the points that I touched on was to give you my address: [REDACTED] Angeles, CA 90001. Your comment upon hearing the address was: "That's near Presentation." My short response was: "It is".

As I mentioned in my letter of March 7, on the 20th of November of 1993, I informed you by way of your secretary of my new private telephone.

For these reasons, you have had in your possession both my address as well as my telephone since last year, from the dates indicated above. Further proof that you had this information is that I received at the previously mentioned address, information regarding my taxes--and I had only spoken to your secretary and no one else in the Chancery.

Because of this, I was greatly surprised that I received no information from my Superiors for months and months. Nobody was concerned if I needed food, clothing, transportation, etc.

My obvious conclusion was that I had been totally abandoned when I had not received any spiritual, emotional or financial help. Rather, what I experienced was open and insolent warfare via circumstances that are of no importance at this time.

We are considering the option that you yourself proposed--to request a personal appointment with the Cardinal. I would be thankful for that.

It is my sincere desire that Our Lord bless you abundantly always.

In Christ the Priest,

S/ (Rev.) Jose Ignacio UGARTE

NB This letter is personal and confidential

Mayo 14, 1994

Rev. Msgr. Timothy J. Dyer
1531 W. Ninth St.
L.A., CA 90015

Estimado Monseñor,

Que la paz del Señor Resucitado llene todo su ser por siempre.

Con la presente, acuso recibo de su carta personal, recibida a primeros de Mayo, y que agradezco sinceramente.

Deseo, sin embargo, hacer constar que estoy en profundo desacuerdo con gran parte del contenido donde capto información equivocada, interpretación totalmente subjetiva de algunos hechos, innuendos desagradables y, hasta me atrevería a decir, falsedades bordeando el espíritu de mentira.

De todos modos, nada reclamo de lo anterior. Me he fiado incondicionalmente del Señor quien, por su poder y misericordia infinitos, hará justicia en su debido día. He esperado en su Espíritu de Verdad y no seré defraudado.

Paso al segundo punto que quiero comentar pues lo consideramos esencial.

El 25 de Octubre de 1993, a las 12 del mediodía (hora del Este), exactamente una semana antes de regresar a Los Angeles, yo personalmente le llamé a Vd por teléfono desde la oficina de [REDACTED] y en presencia de él. El tal conversación telefónica, yo le hablé a Vd. de ocho puntos concretos. Mientras yo hablaba, [REDACTED] tomó notas de toda la conversación. Por lo tanto, todo esta "on record".

Uno de los puntos que yo hablé con Vd. fué darle mi siguiente dirección: [REDACTED] 90001. Su comentario de Vd. al escuchar tal dirección fué: "Esta cerca de Presentación". Mi escueta respuesta fué: "Así es".

Como le mencioné en mi carta del 7 de Marzo, el día 20 de Noviembre de 1993 le informé por medio de su Secretaria de mi nuevo teléfono privado.

Por tanto, Vd. ha tenido en su poder tanto mi dirección como mi teléfono desde el año pasado, en las fechas indicadas anteriormente. Tal es así que recibí en la anterior mencionada dirección la información concerniente a mis Taxes, siendo que solamente hablé con su secretar y con nadie más de la Cancillería.

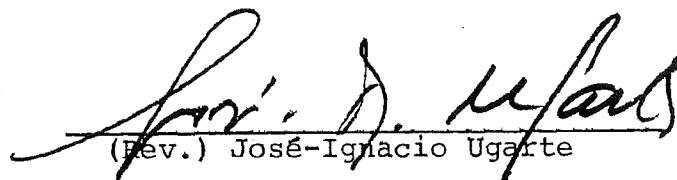
Constatando todo lo anterior, fué grande mi sorpresa al no recibir ninguna información de mis Superiores por meses y meses. Ni siquiera se preocuparon si necesitaba comida, vestido, transportación, etc.

Mi conclusión obvia fué pensar que se me había abandonado totalmente al no recibir ningún apoyo espiritual, emocional o financiero. Mas bien, experimenté una guerra abierta y descarada por medio de circunstancias que no vienen al caso en el presente momento.

Estamos considerando la opción que Vd. mismo propuso de pedir una cita personal con el Señor Cardenal. Por ello me siento agradecido.

Es mi deseo sincero que el Señor lo bendiga siempre y en abundancia.

En Cristo Sacerdote



(Rev.) José-Ignacio Ugarte

N.B.: Esta carta es personal y confidencial.

J. e. Ugarte

5/18/94 9 AM

REDACTED I spoke with REDACTED REDACTED
 REDACTED at St. Luke's.

Told him we were not authorizing
 Father Ugarte afternoon at this time
 (he indicated it was done last week Monday
 & they had heard nothing.)

Barring further word from you, they ~~will~~
will not admit him if by chance he
shows up. (REDACTED)

CONFIDENTIAL

MEMORANDUMMay 23, 1994

TO: Cardinal Mahony
Msg. [REDACTED]

FROM: Father Timothy Dyer

RE: Fr. Ugarte

Attached is Fr. Ugarte's response to my letter of March 30, 1994.

Rather than giving you another copy of my letter with comments at this time, I would suggest I write again and ask him to make the appointment to see you. I have called twice in the last 10 days -- once prior to and once after receiving this letter of May 14th. Though I left recorded messages, he has not returned my calls.

yes (Once he has scheduled an appointment, I will give you a full report of conversations with St. Luke's since my March 30th letter along with an outline of the main issues which will need to be addressed when we meet with Fr. Ugarte.

I concur - bad situation with him -

+ RHM

5-24-94

CONFIDENTIAL

MEMORANDUM

COPY

May 23, 1994

TO: Cardinal Mahony
Msgtr. [REDACTED]

FROM: Father Timothy Dyer

RE: Fr. Ugarte

Attached is Fr. Ugarte's response to my letter of March 30, 1994.

Rather than giving you another copy of my letter with comments at this time, I would suggest I write again and ask him to make the appointment to see you. I have called twice in the last 10 days -- once prior to and once after receiving this letter of May 14th. Though I left recorded messages, he has not returned my calls.

Once he has scheduled an appointment, I will give you a full report of conversations with St. Luke's since my March 30th letter along with an outline of the main issues which will need to be addressed when we meet with Fr. Ugarte.

195063

XXXIII 000276

Jose Ugarte
CONFIDENTIAL

MEMORANDUM

DATE: May 25, 1994
 FROM: Msgr. Richey
 TO: Msgr. Dyer
 RE: Notes re Rev. Jose Ugarte

Were Father Ugarte to have pursued his recovery after his stay at St. Luke Institute by:

- 1) becoming active in local 12-Step programs,
- 2) continuing therapy
- 3) avoiding "ministry" contact with former parishioners, especially young people
- 4) keeping contact with St. Luke's and his local support group

all of which he either promised to do or was ordered to do, he still, in the opinion of St. Luke's staff, would have only a slim chance of deep recovery. As a matter of fact, he has abided by none of these key elements of his recovery program.

We therefore have to consider him to be at risk of acting out sexually and at a much higher risk of heavily dominating and manipulating people in his "ministry" activity. Finally, I think we have to consider him as being in Category Four and take appropriate action to protect people from his abusive ministry.

In talking to Father Ugarte, I suggest that the many reasons for denying any future ministry for him be gathered under two clear points:

1. He has not continued recovery after St. Luke's.
 - A) He promised to join 12-Step fellowships. We have no evidence that he has done that.
 - B) He promised to see Dr. [REDACTED], call St. Luke's weekly until re-entry workshop, keep in touch with his support group. We know he has done none of these things.
 - C) For his re-entry workshop, he left Ms. [REDACTED] (from St. Luke's) stranded at the airport, informed no one at the Chancery of the event, arrived just in time and left immediately after without doing the suggested de-briefing. Ms. [REDACTED] was left frustrated and convinced the process had been a sham.
2. He has engaged in ministry as a priest to persons he agreed to avoid.

We have numerous reports of people young and old spending significant time at his residence in Big Bear for retreat type visits. We are very concerned about some aspects of his reported contact with young people there, e.g., "prophecies." But there can be no doubt that Fr. Ugarte has had ministerial contact with young people from parishes he was forbidden to

MEMORANDUM

DATE: May 25, 1994
FROM: Monsignor Richey
TO: Monsignor Dyer
RE: Notes re Rev. Jose Ugarte (continued)

work in. His card, with his address and phone number in Big Bear and "Si estoy dispuesto", clearly expresses his intention to be and act as a priest who can minister to whomever he wants. This behavior, in the light of his final evaluation by St. Luke's staff and his own agreement to abstain from ministry, makes him a menace.

If Father Ugarte claims that his contact with groups at his Big Bear house does not fall under priestly ministry, nor under what he agreed to refrain from doing, you might reply that his misunderstanding in this matter destroys any trust we had in his ability to understand what is important.



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

May 31, 1994

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]

Dear Father Ugarte:

Since receiving your letter of May 14, I have called your number at the cabin at Big Bear three times and, to date, have received no response.

My purpose in calling was to invite you to make an appointment with Cardinal Mahony, as I suggested in my letter and as you indicated you would favor in yours. You can do that by calling the Cardinal's priestly secretary, Monsignor [REDACTED]
[REDACTED] (213) 251-3261

Thank you very much.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

cc: Cardinal Roger Mahony✓

194792



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

June 15, 1994

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]

Dear Father Ugarte:

Having received your June 7 letter regarding an appointment with the Cardinal, he has asked me once again to direct you to call his priest-secretary, Monsignor [REDACTED] to set up an appointment. He would like to see you before the end of this month.

You may reach Monsignor [REDACTED] during the week at [REDACTED]

May God bless you.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

cc: Monsignor [REDACTED]
[REDACTED]

194794

Junio 7, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

Estimado Cardenal Mahony,

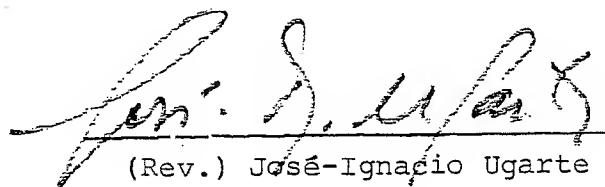
Suplico al Señor que su paz llene su ser entero ahora y siempre.

Después de hacer las consultas pertinentes, hoy me tomo la libertad de suplicarle una entrevista personal y privada cuando Usted lo crea oportuno.

Asimismo, le remito copias de dos cartas que recientemente envié al Vicario del Clero, Rev. Msgr. Timothy J. Dyer, en las cuales pretendo clarificar ciertas circunstancias personales.

Es mi deseo sincero que el Señor lo bendiga siempre en abundancia.

En Cristo Sacerdote



(Rev.) José-Ignacio Ugarte

194795

MT6 file

6/30 - 2pm

De

1 MEMORANDUM

C. File
CONFIDENTIAL

DATE: May 31, 1994
FROM: Monsignor Dyer
TO: Cardinal Mahony
RE: Rev. Jose Ugarte

Just to keep you informed of the latest re Father Ugarte.

Thanks!

+ Rm

5-31-94

25439

Junio 7, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

Estimado Cardenal Mahony,

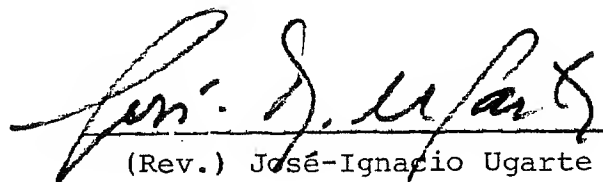
Suplico al Señor que su paz llene su ser entero ahora y siempre.

Después de hacer las consultas pertinentes, hoy me tomo la libertad de suplicarle una entrevista personal y privada cuando Usted lo crea oportuno.

Asimismo, le remito copias de dos cartas que recientemente envié al Vicario del Clero, Rev. Msgr. Timothy J. Dyer, en las cuales pretendo clarificar ciertas circunstancias personales.

Es mi deseo sincero que el Señor lo bendiga siempre en abundancia.

En Cristo Sacerdote



(Rev.) José-Ignacio Ugarte

Junio 7, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

Estimado Cardenal Mahony,

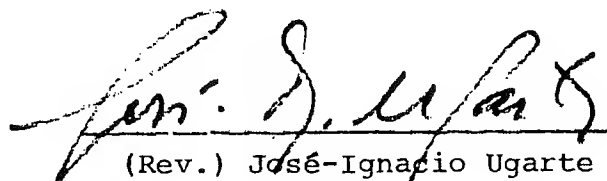
Suplico al Señor que su paz llene su ser entero ahora y siempre.

Después de hacer las consultas pertinentes, hoy me tomo la libertad de suplicarle una entrevista personal y privada cuando Usted lo crea oportuno.

Asimismo, le remito copias de dos cartas que recientemente envié al Vicario del Clero, Rev. Msgr. Timothy J. Dyer, en las cuales pretendo clarificar ciertas circunstancias personales.

Es mi deseo sincero que el Señor lo bendiga siempre en abundancia.

En Cristo Sacerdote


(Rev.) José-Ignacio Ugarte

"Dios nos ama"



Rev. Jose-Ignacio Ugarte
[Redacted]
[Redacted]

"Sí, estoy dispuesto"
[Redacted]

CONFIDENTIAL

MEMORANDUMJune 9, 1994

TO: Cardinal Mahony
 FROM: Father Timothy Dyer
 RE: Fr. Ugarte

Attached is a June 7th request for appointment from Fr. Ugarte. He attached his earlier letters of March 7th and May 14th (and I have included translations).

I have on file my response to both letters and will get them for you when needed. I called and left messages for three weeks following his May 14th letter and, getting no response, finally, wrote him -- asking that he set up an appointment with you.

I would refer you to the "Phone Conversation 3/29/94" notes which I have also attached. [REDACTED] from St. Luke's Institute was Fr. Ugarte's principal therapist during his residency at St. Luke's. Mr. [REDACTED] remarks in this phone conversation will give you an idea of what to expect when you meet with Fr. Ugarte. He is a formidable character and a wonderful actor. I would suggest you invite both Msgr. Richey and myself to the meeting.

In addition, I have attached the summary notes of conversations Msgr. Richey and I had last month after reviewing Fr. Ugarte's file. (This is in memo form: May 25, 1994, and is the last attachment in this packet.)

*Please arrange ggt. into San -
 + RMM*

6-10-94

*P.S. - better to use the larger envelopes for
 these thicker files - Thanks!*

25418

Marzo 7, 1994

Rev. Msgr. Timothy J. Dyer
1531 W. Ninth St.
L.A., CA 90015

Estimado Monseñor,

Que la paz y el consuelo del Señor llenen su ser entero hoy y por siempre.

Después de hablar por teléfono con su secretaria el 20 de Noviembre de 1993 dándole mi teléfono privado, asimismo después de visitar a mi madre enferma de cáncer en España y, finalmente, después de orar y reflexionar sobre mi situación personal, hoy me dirijo a Usted confiándole los siguientes puntos de vista.

Es mi decisión irrevocable ser sacerdote hasta el final de mi vida y jamás renunciaré a ser sacerdote de la Arquidiócesis de Los Angeles. Asimismo, deseo vivir como sacerdote y solo como sacerdote hasta el final de mis días.

Siempre he estado y hoy también estoy dispuesto a obedecer las leyes canónicas de la Iglesia y las leyes sinodales de la Arquidiócesis.

Por supuesto, primero que nada estoy dispuesto a obedecer siempre a Dios y a hacer su voluntad en mí en todo momento. Mi única intención siempre ha sido ser delecte del corazón de Dios y hacer todo para su gloria.

En mis 22 años de vida sacerdotal en la Arquidiócesis de Los Angeles he procurado vivir pobre en medio de los pobres y, en conciencia, puedo decir que no he buscado ni el poder ni el control.

Me siento orgulloso de haber amado con el corazón a mis comunidades y de haber trabajado con esfuerzo para llevarlas al Señor, enseñándoles a ser dóciles al Espíritu del Señor e invitándoles incesantemente a ser justos y santos, presentándoles el rostro de un Dios que ama y perdona incondicionalmente a todos sus hijos.

Sabiendo que mi defensor es el Señor y que El hará justicia a su debido tiempo, yo jamás abriré la boca para defenderme. Se por experiencia que todo lo que lleva el sello y la bendición del Señor sale adelante cuando El lo desea. Me basta, pues, con el poder y el testimonio del Señor y de las comunidades en las que he laborado. En ello he puesto mi esperanza y no seré defraudado.

Sin embargo, he creído que era mi deber el consultar y pedir consejo a peritos en Derecho Canónico. Se me ha dicho que tengo obligaciones y también derechos. Y estoy dispuesto a hacer uso de ambos.

.../...

Me agradó escuchar que, según el Derecho Canónico, tengo el privilegio de "good name" y también "privacy".

Por el hecho de estar incardinado, tengo derecho a "decent support" en lo que respecta a mis necesidades básicas.

Me sorprendió saber que tengo derecho al "estatuto de limitación" (5 años), después de cometida una ofensa.

Finalmente, y en caso de conflicto, se me dijo tener el derecho del recurso de apelación a la Congregación del Clero en Roma.

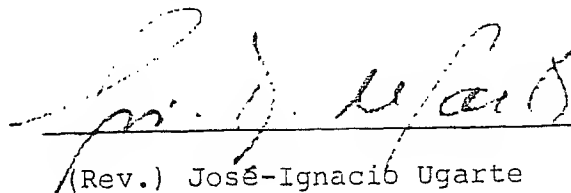
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Por el momento, aunque me ha sido difícil moverme debidamente por falta de transportación idónea, he procurado cumplir con mis obligaciones y promesas del mejor modo posible.

Finalmente, adjunto una carta original de mi médico donde se atestigua sobre mi condición de artritis crónica en la parte inferior de mi columna vertebral.

Es mi deseo y mi oración que el Señor lo bendiga siempre en abundancia.

En Cristo, Sacerdote



(Rev.) José-Ignacio Ugarte

N.B.: Esta carta es personal y confidencial.

194843

XXXIII 000308



CONFIDENTIAL

MEMORANDUM

TO: Monsignor Timothy Dyer
 FROM: Monsignor [REDACTED]
 RE: Reverend Jose I. Ugarte
 DATE: 22 June 1994

As you requested, I examined the entire file of Father Ugarte today. Having done so, I deeply regret that this is the first time I have looked at it. Your own prior consultation with me was concerning a decree of removal of faculties. Unfortunately, I did not review the file at that time.

The reason for my regret is that I believe Father Ugarte engaged in behavior which constituted an ecclesiastical offense to which an excommunication is attached. It is possible that he incurred the excommunication automatically. If so, then statutes of limitation do not apply; the penalty would have been incurred and it would remain unless lifted by the Apostolic See. Even if he did not incur the automatic penalty, the matter is still extremely serious. My reasoning is as follows:

1. Canon 977 states that the absolution of an accomplice in a sin against the sixth commandment is invalid.
2. Canon 1378, §1, states: "A priest who acts against the prescription of can. 977 incurs an automatic (*latae sententiae*) excommunication reserved to the Apostolic See."
3. The statement of [REDACTED] indicates that Father Ugarte did impart absolution to him after they together engaged in sinful behavior against the sixth commandment. Father Ugarte appears to have been confronted with this allegation. He did not deny it. My reading of the record is unclear, but he may even have admitted it.
4. Ignorance does not excuse from the binding force of the law (canon 1325), nor could a priest argue that he "without any fault was unaware that a penalty was attached to the law or precept" (canon 1324, §1, 9°). This obligation and its seriousness is strongly emphasized in seminary training.
5. The only possibility for arguing that Father Ugarte was not excommunicated would be if he lacked full imputability due to a mental illness (canon 1324, §, 10°). That canon states that "One who violates a law . . . is not exempt from a penalty but the penalty set by law . . . must be tempered" when full imputability is lacking. Canon 1324, §3, states that the accused "is not bound by an automatic penalty (*latae sententiae*) in the presence of any of the circumstance enumerated in §1." Thus, if Father Ugarte claims that he lacked full imputability due to mental illness, he might not be "bound" by the penalty.



MEMORANDUM

**Confidential Memo to Msgr. Tim Dyer from Msgr [REDACTED]
Concerning Fr. Jose Ugarte
Page: 2**

Given that such matters are reserved to the Apostolic See, it would be Roman authorities that would ultimately judge whether the automatic excommunication was or was not incurred.

We need to discuss this aspect of the case more fully. A statement under oath from [REDACTED] as to this needs to be obtained, with specific and careful questioning about the absolution. If Father Ugarte meets with the Cardinal, we need to ask him about this. We may need to inform Father Ugarte that we believe he incurred this penalty, and we might be advised to formally declare it.

Should the question go to Rome on whether the full penalty was incurred or not, Father Ugarte could well argue he lacked full imputability due to his mental illness. In doing so, however, he would be providing an argument that he is impeded from the exercise of orders and the Archdiocese could ask Rome to issue that sort of decree.

With regard to other aspects of the case, let me make a few brief observations:

1. In taking testimony in the future, do not examine two witnesses at the same time. Canon 1560, §1, requires that witnesses be examined individually.
2. On page 13 of the testimony, [REDACTED] speaks of some letters that appear to be relevant. We should obtain those letters and make notarized authentic copies.
3. I notice that the requirement not to contact any parishioners in his former parishes (memo of September 30, 1993) was not incorporated into the Continuing Care Contract. It should have been incorporated there or in a separate, specific signed agreement.
4. Has Father Ugarte responded to the most recent letter, asking that he make an appointment with the Cardinal? If not, we may have to move to a precept.



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-3288

1531
West Ninth
Street

Los Angeles
California
90015-1194

DECREE OPENING A CANONICAL INVESTIGATION

At this time, sufficient facts appear to indicate that serious offenses against the Church may have been committed by Reverend Jose I. Ugarte. There is a report that he violated canon 1378, §1 and hence may have incurred an automatic excommunication.

In addition, there are reports of violations of canon 1395, §1. Furthermore, there are indications that he has violated provisions of his "Continuing Care Contract" which he entered subsequent to treatment at St. Luke's Institute, entailing the possibility of offenses against his responsibilities under obedience (canon 1371, 2º) and also entailing potential violations of canon 1373.

Due to the seriousness of these allegations and by virtue of canon 1717, I hereby decree that the prior investigation of a penal process be opened and that a careful investigation be undertaken concerning these allegations and Father Ugarte's imputability in order to determine whether it is necessary to take further action.

To conduct the investigation, I hereby appoint Monsignor Timothy Dyer, Vicar for Clergy, as auditor for the process. I further appoint Monsignor [REDACTED], Judicial Vicar, as an additional auditor for the process. I direct them to conduct on my behalf an appropriate investigation into the facts and circumstances of the matter in accord with the norms of law.

Given at the Chancery of the Archdiocese of Los Angeles on this 24th day of June in the Year of Our Lord 1994.

+ *Roger Cardinal Mahony*
Cardinal Roger M. Mahony
Archbishop of Los Angeles

[Signature]
Ecclesiastical Notary

Archdiocesan Seal

195033

CONFIDENTIAL

MEMORANDUMJune 27, 1994

TO: Cardinal Mahony
FROM: Father Timothy Dyer
RE: Fr. Ugarte

Attached is a memo from Msgr. [REDACTED] re Fr. Ugarte which you will want to review prior to our Thursday meeting. I should have more information on this matter by the time we meet and Msgr. [REDACTED] will prepare a list of points to be covered in regard to the issue for you use at the meeting.

As you approved my suggestion that Msgr. Richey be with us on Thursday, we are preparing other points on other issues which will need to be covered with Fr. Ugarte. We can meet to brief you whenever it is convenient for you prior to the 2pm meeting.

194836

XXXIII 000325

JUNE 30 - THUR - 2 P.M.
CARD. / FR. UGARTE / T.D. / T.R.

MEMORANDUM

DATE: June 28, 1994
 FROM: [REDACTED]
 TO: Monsignor Dyer
 RE: Attached Packet for Meeting Rack File for 06/30/94
Meeting Cardinal/Fr. Ugarte/
Vicar/Msgr. Richey

CONTENTS

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6/7/94	Letter from Fr. Ugarte to Cardinal requesting meeting
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<u>5/25/94</u>	Memo from Msgr. Richey to Vicar with notes on Father Ugarte.



June 30, 1994
2:00

MEMORANDUM

TO: Cardinal Roger Mahony
 Msgr. Tim Dyer
 FROM: Msgr. [REDACTED]
 RE: Reverend Jose I. Ugarte
 DATE: 28 June 1994

As requested, here is a brief schema for one part of your conversation with Fr. Ugarte on Thursday. I am sure there are a number of other items you also want to discuss with him.

1. The present file contains some acknowledgement on his part of activities with [REDACTED]. Fr. Ugarte has been informed of the claim that he attempted to impart absolution to [REDACTED]. I do not see that he has formally admitted that he did this. The file contains a memo dated April 12, 1993, concerning a meeting of April 10, in which Fr. Ugarte stated, "I did make those mistakes" when informed of all the behaviors described. He did not take issue with the claim he imparted absolution. His admission remains somewhat vague. Also, in the report of St. Luke's Institute of May 11 (page 2) the absolution along with the sexual behavior is mentioned with the comment that Father Ugarte "does not deny" the allegations. Canonically, a failure to deny does not constitute a confession. Father Ugarte needs to be asked more specifically about this question of the absolution.
2. I suggest approaching that topic indirectly at first. You want to clarify a number of aspects of his behavior over the years. After describing to him the testimony we have of his sexual involvement and absolution [REDACTED] from the original letter of [REDACTED], ask Fr. Ugarte if that testimony is accurate. If he says yes to the description in general, then some questions specifically focusing on the absolution.

If Fr. Ugarte admits having attempted to give absolution:

1. In this circumstance, Fr. Ugarte should be informed that this is an extremely serious matter. He should also be informed that as a result he incurred the automatic excommunication of canon 1378, §1. This excommunication is reserved to the Holy See.
2. Given the seriousness of this abuse of the sacrament of penance, you feel it is your responsibility to formally declare the existence of the excommunication and then refer the matter to Rome for a definitive ruling and counsel on how to proceed further.
3. He should be invited to choose a canonical advocate to represent him in this matter specifically as well as in the other matters at issue.

If Fr. Ugarte denies or equivocates about giving absolution:

1. In this circumstance, Fr. Ugarte should be informed that the serious nature of this requires that you investigate the matter more fully.
2. You will begin to examine that immediately, with the intention of referring the matter to Rome at the appropriate time. He should be invited to choose an advocate.

Last Ugarte Title Rev. First Jose Middle I.
 Birthplace Spain Delica (Alava) Year 1941 DOB 7/29/41 Age 53
 Ordained 71 Seminary St. John, Camarillo, CA
 Order Incardinated X Diocese
 Diocesan Religious Living/Working Inactive X Rite
 Institution Assigned 93
 Address1 Address2
 City State Zip Country
 Home Work Private FAX
 Status Inactive-Leave
 Comment DO NOT GIVE OUT: REDACTED

Date Entered 11/18/93 Date Assigned 11/01/93
 Deanery 0 Title3 Father Title4 (Dean) Salutation Jose
 Will X Retired in Rectory C X SS# REDACTED

Appointments

St. Thomas, Los Angeles - Associate 06/14/71
 Santa Clara, Oxnard - Associate 06/16/75
 Presentation, Los Angeles - Associate 02/10/79
 St. Matthias, Huntington Park - Associate 07/09/83
 St. Pius X, Santa Fe Springs - Associate 09/21/87
 Sick Leave - 04/10/93
 Inactive Leave - 11/01/93



MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Msgr. [REDACTED]
RE: Reverend Jose Ugarte
DATE: 18 July 1994

As promised in my memo of this same date which you should already have received, I am enclosing additional material to concerning Father Ugarte.

- Type*
1. Attached is a draft of a letter to be sent to Father Ugarte officially informing him of the penal process, inviting him to exercise his right of defense and name an advocate, and informing him of your decision to issue a precept.
 2. Attached is a draft of a precept as we discussed in our earlier meeting. Before that can be issued, we must consult the Promoter of Justice. Since I am seeing Monsignor [REDACTED] on Tuesday, July 19, I will do a preliminary consultation with him and allow him to review the relevant portions of the file.
- Precept*

Sum of this week

I recommend that we try to meet in the near future to finalize these documents and move the matter forward. This week, I have switched my day off to Tuesday (July 19). I will be in the office Wednesday, Thursday and Friday.

JUNE 30 - THUR - 2 P.M.
CARD. / FR. UGARTE / T.D. / T.R.

MEMORANDUM

DATE: June 28, 1994
 FROM: [REDACTED]
 TO: Monsignor Dyer
 RE: Attached Packet for Meeting Rack File for 06/30/94
Meeting Cardinal/Fr. Ugarte/
Vicar/Msgr. Richey

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194806

XXXIII 000335


CONFIDENTIAL

MEMORANDUMJune 9, 1994

TO: Cardinal Mahony
 FROM: Father Timothy Dyer
 RE: Fr. Ugarte

Attached is a June 7th request for appointment from Fr. Ugarte. He attached his earlier letters of March 7th and May 14th (and I have included translations).

I have on file my response to both letters and will get them for you when needed. I called and left messages for three weeks following his May 14th letter and, getting no response, finally, wrote him -- asking that he set up an appointment with you.

yes!  I would refer you to the "Phone Conversation 3/29/94" notes which I have also attached. ~~_____~~ from St. Luke's Institute was Fr. Ugarte's principal therapist during his residency at St. Luke's. Mr. ~~_____~~ remarks in this phone conversation will give you an idea of what to expect when you meet with Fr. Ugarte. He is a formidable character and a wonderful actor. I would suggest you invite both Msgr. Richey and myself to the meeting.

In addition, I have attached the summary notes of conversations Msgr. Richey and I had last month after reviewing Fr. Ugarte's file. (This is in memo form: May 25, 1994, and is the last attachment in this packet.)

*Please analyze gpt. into kar -
 + RMM*

6-10-94

*P.S. - better to use the larger envelopes for
 these thicker files - thanks!*

194810

Junio 7, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

Estimado Cardenal Mahony,

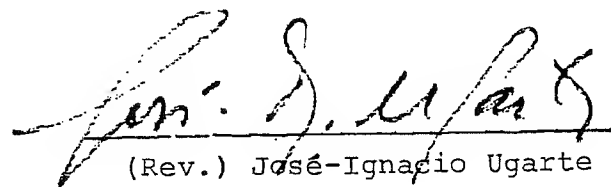
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En Cristo Sacerdote


(Rev.) José-Ignacio Ugarte

"Dios nos ama"



Rev. Jose-Ignacio Ugarte

"Sí, estoy dispuesto"

194811

XXXIII 000340

Marzo 7, 1994

Rev. Msgr. Timothy J. Dyer
1531 W. Ninth St.
L.A., CA 90015

Estimado Monseñor,

Que la paz y el consuelo del Señor llenen su ser entero hoy y por siempre.

Después de hablar por teléfono con su secretaria el 20 de Noviembre de 1993 dándole mi teléfono privado, asimismo después de visitar a mi madre enferma de cáncer en España y, finalmente, después de orar y reflexionar sobre mi situación personal, hoy me dirijo a Usted confiándole los siguientes puntos de vista.

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Sin embargo, he creído que era mi deber el consultar y pedir consejo a peritos en Derecho Canónico. Se me ha dicho que tengo obligaciones y también derechos. Y estoy dispuesto a hacer uso de ambos.

.../...

194812

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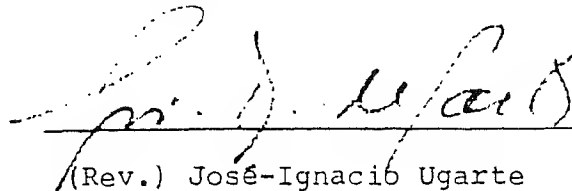
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Es mi deseo y mi oración que el Señor lo bendiga siempre en abundancia.

En Cristo, Sacerdote



(Rev.) José-Ignacio Ugarte

N.B.: Esta carta es personal y confidencial.

ENGLISH TRANSLATION

March 7, 1994

Rev. Msgr. Timothy J. Dyer
1531 West Ninth Street
Los Angeles, CA 90015

Dear Monsignor:

Greetings, etc.

After having spoken with your secretary on November 20, 1993, giving her my private telephone, after having visited my Mother who is ill with cancer in Spain and, finally, having prayed and reflected upon my personal situation, I write to you today entrusting you with the following points of view:

It is my irrevocable decision to remain a priest until the end of my days, and I would never renounce the fact that I am a priest of the Archdiocese of Los Angeles. In addition, it is my desire to live as a priest, and only as a priest, until the end of my days.

I have always been, and am today, willing to obey the canonical laws of the Church and the laws of the Archdiocesan Synod.

Of course, before anything, I am willing always to obey God and do His will for me at any moment. My only intention has always been to be the delight of God's heart, and do everything for His glory.

During my 22 years of priestly life in the Archdiocese of Los Angeles, I have always tried to live in middle of the poor and, with a clear conscience, I can say that I have never sought neither power nor control.

I feel proud to have loved with all my heart my communities, and to have worked zealously to lead them to the Lord, teaching them to be docile to the Spirit of the Lord, and inviting them incessantly to be just and holy, presenting them with a face of God that loves and forgives unconditionally all his children.

Knowing that my defender is the Lord, and that He will do justice in His given time, I will never open my mouth to defend myself. I know from experience that all that is sealed by the Lord and blessed by Him is accomplished when He so desires it to be. God's own power and

194814

XXXIII 000343

testimony, and that of the communities in which I have labored, is enough for me. In this, I have placed my hope, and I will not be disappointed.

However, I have believed that it is my duty to consult with and ask advice of an advocate in Canon Law. I have been told that I have obligations and also rights. And I am willing to make use of both.

I am happy to hear that, according to Canon Law, I have the privilege of "good name" and also "privacy".

Given the fact that I am incardinated, I have the right to "decent support" as regards my basic necessities.

I was surprised to learn that I have right to (avail myself-understood) a "statute of limitations" (5 years), after having committed an offense.

Finally, and in case of conflict, I have been told that I have the right of the recourse of appeals to the Congregation of the Clergy in Rome.

It is my decision not to accept any final monetary amount, whether it be thousands or millions. I am only willing to receive a monthly amount to cover the basic necessities of my subsistence.

For the moment, although it has been difficult for me to get around due to the lack of needed transportation, I have tried to meet my obligations and promises as best possible.

Finally, I am attaching the original of a letter from my medical doctor where he attests to the condition of chronic arthritis in the lower part of my spinal column.

It is my desire and prayer that the Lord will bless you always in abundance.

In Christ, Priest

S/ Illegible
(Rev.) Jose-Ignacio Ugarte

P.S. This letter is personal and confidential.



FILE COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1104

Marzo 29 de 1994.

Presbítero José-Ignacio Ugarte
[REDACTED]
[REDACTED]

Estimado Padre Ugarte:

Deseo acusar recibo de su carta del 7 de marzo de 1994. Por primera vez desde su regreso de St. Luke el 2 de noviembre, obra en mi poder su dirección en Big Bear. Su alusión de que habló con mi secretaria el 20 de noviembre de 1993 me tomó totalmente por sorpresa. Desde nuestra conversación telefónica del 1º de noviembre cuando me dijo que no me podía dar una dirección, pero que me "llamaría a los dos días de su llegada" a Los Angeles el 2 de noviembre, he estado esperando asiduamente tener noticias suyas. Habiendo recibido su carta del 7 de marzo, confirmé y averigüé que una de mis secretarías efectivamente había hablado con usted el 20 de noviembre, pero que nunca me pasó su recado. Por tal motivo, le ofrezco una sincera disculpa.

Ahora proseguiré a solicitar un cheque por los meses durante los cuales no percibió un sueldo, esto es de Noviembre de 1993 a Marzo de 1994, y se lo enviaré a su dirección en la Ciudad de Big Bear. Durante todo este período, sus primas del seguro médico han continuado siendo pagadas por la Arquidiócesis, justamente como fueron pagadas durante su licencia por enfermedad la cual empezó en Abril de 1993, así como durante toda su estancia de su tratamiento en St. Luke.

Como comprenderá, actualmente no tiene una asignación Arquidiocesana. Dadas las actuales circunstancias y la responsabilidad del Cardenal de fomentar el bienestar espiritual del Pueblo de Dios en Los Angeles, le escribo para informarle que el Cardenal Mahony le ha revocado sus facultades Arquidiocesanas así como la facultad de predicar de acuerdo con su autoridad bajo las leyes canónicas 142 §1 y 764. Le adjunto una copia de su decreto. Inicialmente las facultades se le fueron otorgadas para capacitarlo a llevar a cabo las responsabilidades relacionadas con su asignación como sacerdote. Debido a que el propósito por el cual esas facultades se le fueron confiadas a usted ha terminado, esta revocación simplemente refleja su actual estado legal. Esta acción de ninguna manera le afecta a su fundamental estado canónico como un

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sacerdote incardinado a la Arquidiócesis de Los Angeles. Esto no altera su capacidad de continuar celebrando Misa privada para usted mismo o su capacidad de absolver los pecados de un penitente en peligro de muerte conforme a el Canon 976.

Con respecto a su actual situación, hemos recibido numerosos reportes de sacerdotes y laicos de las Parroquias de Presentación en Los Angeles; Resurrección en Los Angeles; y San Pio X en Santa Fe Springs de que desde que regresó a Los Angeles a fines de 1993 los fines de semana usted ha participado en frecuentes retiros para adultos jóvenes y grupos de oración para adultos en su cabaña de Big Bear. En tanto que muchos de sus fieles seguidores no quisieron hablar acerca de esta participación, es evidente que después de la investigación hecha por el Padre [REDACTED], el Señor [REDACTED] (de la Oficina de Ministerio Hispano) y por mí mismo que usted ha continuado presentándose y ejerciendo su ministerio como un sacerdote de buena reputación.

Unos adultos jóvenes de la Parroquia de Presentación así como los "pastorcitos" de la Parroquia de San Pio X dieron un reporte específico de que usted les había hecho unas "profecías" a individuos (que en el caso de los "pastorcitos" de jóvenes adultos de la Parroquia de Resurrección han anotado en sus libretas individuales, y los aceptan como mensajes directos de Dios para su vidas personales). Además, fue reportado que usted ha anunciado y hecho "confidencias" y enseñanzas a estos grupos de retiro, y existe un reporte que usted ha celebrado Misa para ellos.

También se nos dio a entender que sin el conocimiento o aprobación de sus párrocos o el Arzobispo de Los Angeles, en Big Bear usted está presente y fomenta los "pactos" que se llevan a cabo a media noche durante los cuales los adultos jóvenes, bajo la dirección de un sacerdote, prometen obediencia y celibato.

Hemos sido informados que seis muchachos de la Parroquia de Resurrección, conocidos como "pastorcitos," han rentado una casa la cual es conocida por toda la parroquia, de acuerdo a Monseñor [REDACTED] como la "Casa del Padre." En tanto que esto se refiere específicamente a el Padre [REDACTED] él me ha informado que fue moldeada precisamente como el tipo de casas que usted estableció en la Parroquia de Presentación hace varios años.

Además, siguiendo su práctica de la Parroquia de Presentación, el mes pasado tres mujeres y una muchacha de dieciséis años abrieron una casa para muchachas en la Parroquia de Resurrección. Monseñor [REDACTED] me ha dicho que los padres de estas jovencitas le han suplicado que haga algo para que sus hijas regresen a sus hogares. Los padres indicaron que sus hijas se prometieron a sí mismas estar unidas a sus profecías y sus "pactos" de celibato y obediencia.

El que usted continúe ejerciendo su ministerio viola las promesas verbales hechas en el Instituto St. Luke en la oficina de su terapeuta, [REDACTED], las cuales fueron testificadas por Monseñor Richey, en la que prometía abstenerse de ejercer su ministerio y de comenzar un programa de convalecencia después de su estancia en St. Luke. Debido a esta violación y porque la gente no estaba enterada de su estado civil, el Padre [REDACTED], el Señor [REDACTED] y yo hemos tenido que visitar las parroquias anteriormente mencionadas para comunicarles la decisión del Cardenal de revocarle sus facultades. Por lo consiguiente, se les informó a los líderes de la parroquia, en nombre de sus párrocos, de abstenerse de enviar grupos de retiros a su cabaña de Big Bear. En cada ocasión, nuestro aviso causó una sacudida y enojo por parte de los miembros de estos grupos de oración así como los grupos de los jóvenes, quienes le habían prometido su lealtad ya que los párrocos se quedaron con situaciones muy difíciles de manejar.

Estos feligreses estaban enojados porque no se podían imaginar la base de la decisión del Cardenal de revocarle sus facultades y quitarlo de su ministerio de la Arquidiócesis. Usted, por otro parte, sabe muy bien la base de su decisión por la evaluación y residencia en St. Luke. Está bien consciente del reporte final de St. Luke que incluía un pronóstico desfavorable de su recuperación total a pesar de seis meses de terapia intensiva. Cuando terminó su residencia en St. Luke, usted sabía, como nos lo fue reportado por su terapeuta que los sacerdotes que integraban su grupo de terapia aún lo consideran en riesgo de actuar sexualmente.

El que usted continúe ejerciendo su ministerio hacia los adultos jóvenes y feligreses que no están enterados de su mala conducta sexual, tal vez, usted involuntariamente, puso al Arzobispo en una situación donde su integridad fue puesta en duda y su persona fue ridiculizada por individuos en una junta el pasado 24 de marzo en la Parroquia de San Pio X, como lo testifiqué yo mismo, el Padre [REDACTED] y [REDACTED]. Esto ocurrió porque no pude notificar las razones confidenciales por su destitución del ministerio, y la gente preguntaba si la decisión del Cardenal había estado basada en los reportes de sus enemigos, o tal vez por simples "chismes." En esa junta, varios individuos dijeron que usted continuaría siendo su sacerdote, sin importar las decisiones hechas por el Arzobispo, y sus comentarios concordaban con el aplauso de los 75 feligreses que estaban presentes. Para citar un comentario específico, "Papa o no Papa, Arzobispo o no Arzobispo, él (Ugarte) aún es nuestro Padre."

Un comentario similar fue hecho en la Parroquia de Presentación el 7 de marzo frente a 200 personas presentes -- "Arzobispo o no Arzobispo, el Padre Ugarte continuará siendo nuestro sacerdote." En tanto que usted nunca les haya enseñado este tipo de idea, pareciera que hubiese sido enseñada en espíritu. Es

Padre José-Ignacio Ugarte

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obvio que usted los ha alentado a que lo vean como a un sacerdote de buena reputación como lo demuestra una copia de su tarjeta de presentación la cual adjunto.

Ya es tiempo de que se encuentre con su Arzobispo, el Cardenal Mahony, para determinar si está usted dispuesto a cumplir con su dirección con lo que respecta a su ministerio y un programa personal de recuperación.

Usted puede llamarme cuando desee con respecto a estos asuntos, o puede llamar a Monseñor [REDACTED] para hacer una cita con el Cardenal Mahony.

Sinceramente,

Timothy J. Dyer

(Monseñor) Timothy Dyer
Vicario para los Clérigos

Anexos

[REDACTED]

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XXXIII 000348



*This letter was
transcribed and
sent in Spanish
dated 3/24*

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

not 29th
March 30, 1994

Rev. Jose Ugarte
[REDACTED]
[REDACTED]

Dear Father Ugarte:

I wish to acknowledge your letter of March 7, 1994. For the first time since your return from St. Luke's on November 2, I am in receipt of your address in Big Bear. Your reference to having spoken to my secretary on November 20, 1993 came as a complete surprise. I had been waiting intently to hear from you, since our conversation by phone on November 1, when you told me you could not give me an address, but would call me "within two days of your arrival" in Los Angeles on November 2. Having received your March 7 letter, I checked and found that one of my secretaries had indeed spoken to you on November 20, but had never passed the message on to me. For this I send my sincere apology.

I will now proceed to request a check for the months during which you have not received the equivalent of a salary, i.e., from November 1993 through March 1994, and send it to your address in Big Bear City. Your health insurance premiums have continued to be paid by the Archdiocese throughout that period, just as they were paid during your Sick Leave, which began in April 1993, and throughout your residential treatment at St. Luke's.

As you are aware, at present you have no Archdiocesan assignment. Given the current circumstances and the Cardinal's responsibility to foster the spiritual welfare of the People of God in Los Angeles, I am writing to inform you that Cardinal Mahony has revoked your Archdiocesan faculties and your faculty to preach, in accord with his authority under Canons 142 s.1 and 764. His decree to that effect is enclosed.

The faculties were initially extended to enable you to fulfill the responsibilities connected with your assignment as a priest. Since the purpose for which those faculties were entrusted to you has ceased, this revocation simply reflects your present status. This action in no way affects your basic canonical status as an incardinated priest of the Archdiocese of Los Angeles. It does not affect your ability to continue to celebrate a private Mass for yourself, nor your ability under Canon 976 to absolve sins for a penitent in danger of death.

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Rev. Jose Ugarte

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As regards your present situation, we have received numerous reports from priests and laity in the parishes of Presentation, Los Angeles; Resurrection, Los Angeles; and St. Pius X, Santa Fe Springs that you have participated in frequent weekend retreats for young adults and adult prayer groups at your cabin in Big Bear since your return to Los Angeles in late 1993. While many of your devoted followers did not wish to talk about this participation, it seems clear from the investigation by Father [REDACTED], Mr. [REDACTED] (of the Office of Hispanic Ministry), and myself that you have continued to present yourself as, and continued to minister as, a priest in good standing.

It was specifically reported by young adults in Resurrection Parish and the "pastorcitos" in St. Pius X Parish that you have been giving "prophecies" to individuals (which in the case of the "pastorcitos" of the young adult group in Resurrection Parish are recorded in their individual notebooks and held to be direct messages from God for their personal lives).

In addition, it was reported that you have participated in giving "sharings" and teachings to these retreat groups, and there is one report that you have celebrated Mass for them.

We were also given to understand that you are present for and encourage the midnight "pactos" made on retreat at Big Bear, by which young adults promise celibacy and obedience under a priest's direction, with no knowledge or approval of their Pastors or the Archbishop of Los Angeles.

We are aware that six young men in Resurrection Parish, known as "pastorcitos", have rented a house together, which is known throughout the parish, according to Monsignor [REDACTED], as "Father's house". While this refers specifically to Father [REDACTED] he has informed me that it was modeled precisely after the kinds of houses you set up in Presentation Parish years ago.

Furthermore, and in keeping with your practice at Presentation Parish, a young women's house has been opened in Resurrection Parish during the last ~~three~~ months by three women and one 16-year-old girl. Monsignor [REDACTED] has told me that the parents of these young women have pleaded with him to do something to get their daughters to move back home. The parents indicate that their daughters profess themselves to be bound by your prophecies and their "pactos" of celibacy and obedience.

Your continued activity in ministry is in violation of the oral agreements, made at St. Luke Institute in the office of your therapist, [REDACTED] and witnessed by Monsignor Richey, to refrain from ministry and to begin an aftercare program following your time at St. Luke's. Because of this violation, and because people were not aware of your status, Father [REDACTED], Mr. [REDACTED], and I have had to visit the above-named parishes to impart the Cardinal's decision to revoke your faculties and

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Rev. Jose Ugarte

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to therefore instruct parish leaders, on behalf of their Pastors, to refrain from sending retreat groups to your cabin in Big Bear. In each instance, our announcement was received with shock and anger on the part of the members of these prayer groups and youth groups, who profess such devotion to you that their Pastors are left with difficult situations to manage.

These parishioners were upset because they could not imagine a basis for the Cardinal's decision to revoke your faculties and remove you from Archdiocesan ministry. You, on the other hand, know very well from your evaluation and residency at St. Luke's what the basis for his action is. You are well aware that the final report from St. Luke's included a poor prognosis for your full recovery, despite six months of intensive therapy. You know, as was reported to us by your therapist, that the priests who made up your therapy group considered you still at risk of acting out sexually at the time you were concluding your residency at St. Luke's.

By continuing your ministry to young adults and parishioners who know nothing of your sexual misconduct, you have, perhaps unintentionally, put the Archbishop in a position where his integrity was questioned and his person derided by individuals at a meeting on March 24 at St. Pius X Parish, as witnessed by myself, Father [REDACTED], and [REDACTED]. This occurred because I could not share the confidential reasons for your removal from ministry, and people questioned whether the Cardinal's decision had been based on the reports of your enemies, or perhaps on pure "chisme". Several individuals at that meeting said that you would continue to be their priest, no matter what decisions were made by the Archbishop, and their remarks met with general applause from the 75 parishioners present.* It is clear that you have encouraged them to see you as a priest in good standing, as evidenced by the copy of your calling card that is attached.

It is time for you to meet with your Archbishop, Cardinal Mahony, to determine whether you are willing to abide by his direction as regards ministry and a personal program for recovery.

You may call me at any time regarding these matters, or you may contact Monsignor [REDACTED] to make an appointment with Cardinal Mahony.

Sincerely yours,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

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Added to the Spanish version — sent to Fr. Ugarte on 3/29/94:

* To quote one specific remark: "Pope or no Pope, Archbishop or no Archbishop, he (Fr. Ugarte) is still our Father." A similar remark was made at Presentation parish on March 7th (with 200 people present): "Archbishop or no Archbishop, Fr. Ugarte will continue to be our priest." While you may have thought this kind of thinking, it would appear to have been true.

XXXIII 000353

Mayo 14, 1994

Rev. Msgr. Timothy J. Dyer
1531 W. Ninth St.
L.A., CA 90015

Estimado Monseñor,

Que la paz del Señor Resucitado llene todo su ser por siempre.

Con la presente, acuso recibo de su carta personal, recibida a primeros de Mayo, y que agradezco sinceramente.

Deseo, sin embargo, hacer constar que estoy en profundo desacuerdo con gran parte del contenido donde capto información equivocada, interpretación totalmente subjetiva de algunos hechos, innuendos desagradables y, hasta me atrevería a decir, falsedades bordeando el espíritu de mentira.

De todos modos, nada reclamo de lo anterior. Me he fiado incondicionalmente del Señor quien, por su poder y misericordia infinitos, hará justicia en su debido día. He esperado en su Espíritu de Verdad y no seré defraudado.

Paso al segundo punto que quiero comentar pues lo consideramos esencial.

El 25 de Octubre de 1993, a las 12 del mediodía (hora del Este), exactamente una semana antes de regresar a Los Angeles, yo personalmente le llamé a Vd por teléfono desde la oficina de [REDACTED] y en presencia de él. El tal conversación telefónica, yo le hablé a Vd. de ocho puntos concretos. Mientras yo hablaba, [REDACTED] tomó notas de toda la conversación. Por lo tanto, todo esta "on record".

Uno de los puntos que yo hablé con Vd. fué darle mi siguiente dirección: [REDACTED] Su comentario de Vd. al escuchar tal dirección fué: "Esta cerca de Presentación". Mi escueta respuesta fué: "Así es".

Como le mencioné en mi carta del 7 de Marzo, el día 20 de Noviembre de 1993 le informé por medio de su Secretaria de mi nuevo teléfono privado.

Por tanto, Vd. ha tenido en su poder tanto mi dirección como mi teléfono desde el año pasado, en las fechas indicadas anteriormente. Tal es así que recibí en la anterior mencionada dirección la información concerniente a mis Taxes, siendo que solamente hablé con su secretari y con nadie más de la Cancillería.

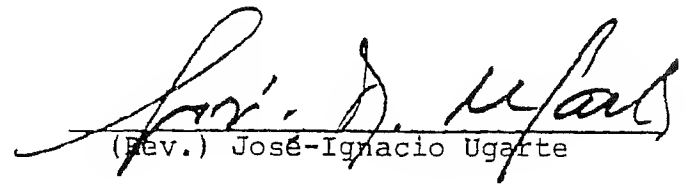
Constatando todo lo anterior, fué grande mi sorpresa al no recibir ninguna información de mis Superiores por meses y meses. Ni siquiera se preocuparon si necesitaba comida, vestido, transportación, etc.

Mi conclusión obvia fué pensar que se me había abandonado totalmente al no recibir ningún apoyo espiritual, emocional o financiero. Mas bien, experimenté una guerra abierta y descarada por medio de circunstancias que no vienen al caso en el presente momento.

Estamos considerando la opción que Vd. mismo propuso de pedir una cita personal con el Señor Cardenal. Por ello me siento agradecido.

Es mi deseo sincero que el Señor lo bendiga siempre y en abundancia.

En Cristo Sacerdote



(Rev.) José-Ignacio Ugarte

N.B.: Esta carta es personal y confidencial.

CONFIDENTIAL

COPY

INITIAL
DRAFT

RE: Reverend Jose I. Ugarte

Testimony of [REDACTED]

The interview took place on June 29, 1994, at the Chancery Office of the Archdiocese of Los Angeles, in the office of the Vicar for Clergy. Present at the interview with the witness was Monsignor Timothy Dyer, Vicar for Clergy, and Monsignor Craig A. Cox, Judicial Vicar and delegated Auditor for the interview. Monsignor Cox asked all the questions.

The witness took the customary oath in accord with canon 1562, swearing to answer all questions truthfully.

1. What is your full name?

[REDACTED]

2. What is your present address?

My address at the moment is [REDACTED]
 [REDACTED] My home address is [REDACTED]
 A [REDACTED]

3. What is the date and place of your birth?

I was born in [REDACTED] Mexico, on [REDACTED]

4. Do you have any form of identification on you?

Yes. *[auditor's note: the witness presented a California Driver's Licence, number [REDACTED], which satisfactorily established the identity of the witness.]*

5. I understand that you are presently in St. John's Seminary. At what stage of your seminary formation are you?

I have completed my third year in theology.

6. When did you enter the seminary?

I entered St. John's College in September of 1987.

7. You wrote a two-page letter to Monsignor Dyer on April 3, 1993. Is this the letter you wrote him? *[auditor's note: the original of the letter was handed to the witness who examined it.]*

Yes, this is my letter.

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Testimony of [REDACTED]
Concerning Reverend Jose I. Ugarte
June 29, 1994
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8. I would appreciate it if you would read over that letter. [*auditor's note: the witness read the letter.*] Do you swear that the statements made there are the truth?

Yes, I do swear to their truth.

9. I also have here a copy of a letter that you sent to Father Ugarte which is dated February 16, 1993. Is this your letter?

Yes.

10. Were you the one who provided this copy of the letter to Monsignor Dyer?

Yes.

11. Do you swear to the truth of the statements made in that letter?

Yes, I do.

12. Did Father Ugarte ever respond in any way to that letter?

No. I know he received it. I sent it registered mail and I still have the receipt that it was delivered.

13. Could you please send a copy of that receipt to Monsignor Dyer?

Yes.

14. In your letter to Monsignor Dyer of April 3, 1993, you described the first instance of inappropriate sexual contact between Father Ugarte and yourself as taking place at a mountain retreat house in the Big Bear area in September of 1983. After describing that in some detail, on page 2 of the letter you refer to other places where there were instances of similar inappropriate behavior. These include the rectory of St. Mathias Parish, again in a retreat cabin at Big Bear, in a hotel, and in a mobile home in Rosarito. Thus, there seem to be at least five incidents. Were these the only incidents of inappropriate sexual behavior involving you and Father Ugarte?

No. Those were the places where incidents occurred. There were a number of different occasions at some of those places.

Testimony of [REDACTED]
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 3

15. As best as you can recall, how many different incidents of inappropriate or sexually abusive behavior was Father Ugarte involved in with you?

I would say about fifteen times or perhaps a few more.

16. From your letter it is clear that these incidents deeply troubled you. Why did you continue to spend time with Father Ugarte in places where this sort of behavior could occur?

It is very difficult to understand. Okay, for one, Father Ugarte was a very charismatic individual in the community. I was very active in the parish community. He had a lot of power over me. I tried to avoid those situations, and each time it seemed like there would be others around. But somehow, Father Ugarte found a way to get rid of the other individual or people who were supposed to be there. I thought I would be safe, but wasn't.

17. Are you saying that Father Ugarte manipulated the situations to get you alone with him?

Yes. For example, I remember one time when he said to me, [REDACTED] "I need your help to make some copies." I did not want to go with him myself and said that I didn't want to go alone with him and he should do them. He said I should bring someone along. I did. While there, Father Ugarte said he was getting very hungry and sent this other guy to pick up some food. Then he came on to me.

18. Did you ask Father Ugarte to stop this sort of behavior?

Yes, many times I asked him to leave me alone.

19. On page 2 of your letter of April 3, 1993, you stated: "What really confused me was the fact that after taking advantage of me, he would place his hand on my forehead and give me a prayer of absolution. While I felt forgiven by God, I still felt dirty. When I told him this was very wrong and I did not want to do it anymore because I feared I would be condemned in hell, he always responded that when we go to Heaven God would laugh at these silly games . . ." I'd like to ask about the absolution he gave you. Did he give you absolution after every one of the incidents of sexual contact between the two of you?

It was not after every incident, but it was more often than not.

20. What would he do in giving that absolution?

Testimony of [REDACTED]
Concerning Reverend Jose I. Ugarte
June 29, 1994
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He would place his hands on my head, mumble some words, then bless me with the sign of the cross and tell me that my sins were forgiven.

21. You have heard the words of absolution used in the sacrament of penance. Can you remember if Father Ugarte used the same words?

He mumbled the words, so I don't know if they were the exact same words.

22. Did he give you the understanding that this was the absolution of the sacrament of penance?

Yes. He assured me that the blessing forgave my sins. I was not knowledgeable of the exact prayers and formulas then. But he definitely led me to believe that is was absolution.

23. In the portion of your letter I read just a moment ago, you said that you felt what was happening was very wrong and you feared being condemned, were you referring only to the sexual behavior or were you referring to the granting of absolution?

I was referring to both. I felt both were very wrong. I felt that this wasn't right. If forgiveness can be given like that, it wasn't right. I want to say that Father Ugarte's using the sacrament of penance was a way he then asked me to forgive him. He would then promise it would never happen again. It was part of how he continued to have power over me and get me into new situations.

24. So you believe he was using the sacramental absolution as part of the way he manipulated you?

Yes.

25. In your letter, you mention a couple of incidents where a third person was involved. In one, a time in Tijuana, you and an altar boy were sleeping on each side of him and Father Ugarte fondled your genitals. In another at the cabin in Big Bear, where you and a person named [REDACTED] were with him. Was [REDACTED] the one in both of these incidents?

No. In Mexico it was someone else. That person was [REDACTED] I believe.

26. In those two circumstances, did you observe Father Ugarte giving either of those two absolution as he had with you?

No, I didn't observe that.

Testimony of [REDACTED]
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 5

27. Did you ever hear that Father Ugarte had inappropriate sexual behavior with others, or gave absolution to others in circumstances similar to your own?

I do not know anything for certain. I know he was very close to [REDACTED]. He was even closer to [REDACTED] But I don't know what he did with them.

28. Is there anything you would like to add?

No.

29. Do you swear again that you have answered all questions with the complete truth?

Yes.

MEMORANDUM

DATE: June 29, 1994

TO: Cardinal Mahony

FROM: Monsignor Dyer

RE: Background Material for the June 30 Meeting with Fr. Jose Ugarte

<u>DATE</u>	<u>ITEM</u>
March 7, 1994	<p>Letter from Fr. Ugarte.</p> <p>Father Ugarte arrived home from St. Luke Institute on November 2, 1993. Finally wrote this office and in his March 7 letter informed me that he had, in fact, called this office on November 20 to let me know his whereabouts.</p> <p>Our secretarial staff acknowledged that he had called, though I had never seen the message.</p>
March 29, 1994	<p>My response to his March 7 letter outlining the events which had been reported to me since his return to Southern California plus decree for suspension of faculties. (From the English original, a Spanish translation was sent to him.)</p>
March 29, 1994	<p>Phone consultation with Mr. [REDACTED], principal therapist for Father Ugarte at St. Luke Institute. This is a most important piece of information in preparation for our June 30 meeting with Fr. Ugarte.</p>
May 14, 1994	<p>Letter from Fr. Ugarte to me disputing the issues in my March 27 letter to him. (Gives a good example of his style: he first refutes the information as "incorrect" "bordering on a lying spirit", but gives no facts to refute the evidence. Concentrates the rest of the letter on making a big issue out of his whereabouts after return from St. Luke Institute--trying to distract from the serious matters that were of issue in my letter.)</p>
May 25, 1994	<p>Summary memo of main issues in the files as reviewed by Monsignor Richey and myself.</p>
May 31, 1994	<p>Letter to Fr. Ugarte again asking him to make an appointment with you.</p>

194775

June 7, 1994 Letter from Fr. Ugarte to me containing his calling card presenting himself as an active priest--"si estoy dispuesto".

June 22, 1994 Memo from Msgr. [REDACTED] (Having reviewed the file, Msgr. [REDACTED] noted the possible automatic excommunication as a result of giving absolution.)

June 28, 1994 Memo from Msgr. [REDACTED] regarding the issue of Fr. Ugarte allegedly giving absolution to a victim of sexual abuse, which would involve excommunication.

June 29, 1994 Initial draft of the sworn testimony of [REDACTED] in the presence of Msgr. [REDACTED] and myself regarding the matter of absolution.

While not official till he
reverses & signs, this is F.Y.I.
prior to the meeting on Thursday
Craig

194647

Testimony of REDACTED
Concerning Reverend Jose L. Ugarte
June 29, 1994
Page: 5

27. Did you ever hear that Father Ugarte had inappropriate sexual behavior with others, or gave absolution to others in circumstances similar to your own?

I do not know anything for certain. I know he was very close to ^{REDACTED}. He was even closer to REDACTED. But I don't know what he did with them.

28. Is there anything you would like to add?

No.

29. Do you swear again that you have answered all questions with the complete truth?

Yes.

194648

XXXIII 000377

RE: Reverend Jose I. Ugarte

Testimony of [REDACTED]

The interview took place on June 29, 1994, at the Chancery Office of the Archdiocese of Los Angeles, in the office of the Vicar for Clergy. Present at the interview with the witness was Monsignor Timothy Dyer, Vicar for Clergy, and Monsignor Craig A. Cox, Judicial Vicar and delegated Auditor for the interview. Monsignor Cox asked all the questions.

The witness took the customary oath in accord with canon 1562, swearing to answer all questions truthfully.

1. What is your full name?

[REDACTED]

2. What is your present address?

My address at the moment is [REDACTED]
[REDACTED] My home address [REDACTED]
[REDACTED]

3. What is the date and place of your birth?

I was born in [REDACTED] Mexico, on [REDACTED]

4. Do you have any form of identification on you?

Yes. *[auditor's note: the witness presented a California Driver's Licence, number [REDACTED] which satisfactorily established the identity of the witness.]*

5. I understand that you are presently in St. John's Seminary. At what stage of your seminary formation are you?

I have completed my third year in theology.

6. When did you enter the seminary?

I entered St. John's College in September of 1987.

7. You wrote a two-page letter to Monsignor Dyer on April 3, 1993. Is this the letter you wrote him? *[auditor's note: the original of the letter was handed to the witness who examined it.]*

Yes, this is my letter.

194860

Testimony of [REDACTED]
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 2

8. I would appreciate it if you would read over that letter. [*auditor's note: the witness read the letter.*] Do you swear that the statements made there are the truth?

Yes, I do swear to their truth.

9. I also have here a copy of a letter that you sent to Father Ugarte which is dated February 16, 1993. Is this your letter?

Yes.

10. Were you the one who provided this copy of the letter to Monsignor Dyer?

Yes.

11. Do you swear to the truth of the statements made in that letter?

Yes, I do.

12. Did Father Ugarte ever respond in any way to that letter?

No. I know he received it. I sent it registered mail and I still have the receipt that it was delivered.

13. Could you please send a copy of that receipt to Monsignor Dyer?

Yes.

14. In your letter to Monsignor Dyer of April 3, 1993, you described the first instance of inappropriate sexual contact between Father Ugarte and yourself as taking place at a mountain retreat house in the Big Bear area in September of 1983. After describing that in some detail, on page 2 of the letter you refer to other places where there were instances of similar inappropriate behavior. These include the rectory of St. Mathias Parish, again in a retreat cabin at Big Bear, in a hotel, and in a mobile home in Rosarito. Thus, there seem to be at least five incidents. Were these the only incidents of inappropriate sexual behavior involving you and Father Ugarte?

No. Those were the places where incidents occurred. There were a number of different occasions at some of those places.

Testimony of REDACTED
 Concerning Reverend Jose L. Ugarte
 June 29, 1994
 Page: 3

15. As best as you can recall, how many different incidents of inappropriate or sexually abusive behavior was Father Ugarte involved in with you?

I would say about fifteen times or perhaps a few more.

16. From your letter it is clear that these incidents deeply troubled you. Why did you continue to spend time with Father Ugarte in places where this sort of behavior could occur?

It is very difficult to understand. Okay, for one, Father Ugarte was a very charismatic individual in the community. I was very active in the parish community. He had a lot of power over me. I tried to avoid those situations, and each time it seemed like there would be others around. But somehow, Father Ugarte found a way to get rid of the other individual or people who were supposed to be there. I thought I would be safe, but wasn't. Also, I was interested in entering the seminary. Fr. Ugarte used to say he was very good friends with the vocation director. Part of Fr. Ugarte's power over me was that I feared that if I didn't do what he wanted, his influence with the vocation director would mean I could never enter the seminary. Fr. Ugarte actually took me to the first interview with the vocation director. I was going to go by myself, but Fr. Ugarte was adamant that he go with me.

17. Are you saying that Father Ugarte manipulated the situations to get you alone with him?

Yes. For example, I remember one time when he said to me, "REDACTED I need your help to make some copies." I did not want to go with him myself and said that I didn't want to go alone with him and he should do them. He said I should bring someone along. I did. While there, Father Ugarte said he was getting very hungry and sent this other guy to pick up some food. Then he came on to me.

18. Did you ask Father Ugarte to stop this sort of behavior?

Yes, many times I asked him to leave me alone.

19. On page 2 of your letter of April 3, 1993, you stated: "What really confused me was the fact that after taking advantage of me, he would place his hand on my forehead and give me a prayer of absolution. While I felt forgiven by God, I still felt dirty. When I told him this was very wrong and I did not want to do it anymore because I feared I would be condemned in hell, he always responded that when we go to Heaven God would laugh at these silly games . . ." I'd like to ask about the absolution he gave you. Did he give you absolution after every one of the incidents of sexual contact between the two of you?

It was not after every incident, but it was more often than not.

194862

Testimony of REDACTED
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 4

20. What would he do in giving that absolution?

He would place his hands on my head, mumble some words, then bless me with the sign of the cross and tell me that my sins were forgiven.

21. You have heard the words of absolution used in the sacrament of penance. Can you remember if Father Ugarte used the same words?

He mumbled the words, so I don't know if they were the exact same words.

22. Did he give you the understanding that this was the absolution of the sacrament of penance?

Yes. He assured me that the blessing forgave my sins. I was not knowledgeable of the exact prayers and formulas then. But he definitely led me to believe that it was absolution.

23. In the portion of your letter I read just a moment ago, you said that you felt what was happening was very wrong and you feared being condemned, were you referring only to the sexual behavior or were you referring to the granting of absolution?

I was referring to both. I felt both were very wrong. I felt that this wasn't right. If forgiveness can be given like that, it wasn't right. I want to say that Father Ugarte's use of the sacrament of penance was a way in which he then asked me to forgive him. He would then promise it would never happen again. It was part of how he continued to have power over me and get me into new situations.

24. So you believe he was using the sacramental absolution as part of the way he manipulated you?

Yes.

25. In your letter, you mention a couple of incidents where a third person was involved. In one, a time in Tijuana, you and an altar boy were sleeping on each side of him and Father Ugarte fondled your genitals. In another at the cabin in Big Bear, where you and a person named REDACTED were with him. Was REDACTED the one in both of these incidents?

No. In Mexico it was someone else. That person was REDACTED I believe.

Testimony of REDACTED
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 5

26. In those two circumstances, did you observe Father Ugarte giving either of those two absolution as he had with you?

No, I didn't observe that.

27. Did you ever hear that Father Ugarte had inappropriate sexual behavior with others, or gave absolution to others in circumstances similar to your own?

I do not know anything for certain. I know he was very close to REDACTED He was even closer to REDACTED. But I don't know what he did with them.

28. Is there anything you would like to add?

No.

29. Do you swear again that you have answered all questions with the complete truth?

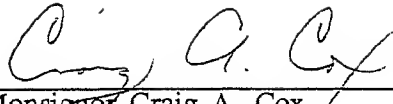
Yes.

Auditor's Comments: The witness appeared promptly at the prearranged time for the interview. He responded to all questions without any sign of evasiveness and with an evident sincerity. It was clear that, while he now recognizes the abusive way he was treated by Father Ugarte, he does not exhibit any signs that he is seeking revenge nor embittered with any hostility toward Father Ugarte. Rather, the witness manifested a sadness at what was done and a hope that Father Ugarte would not be able to treat anyone else in an abusive manner. The testimony of the witness was consistent and most credible.

OATH

I have read the transcript of the testimony that I provided on June 29, 1994, in the office of Monsignor Dyer. I affirm that it is an accurate record of my testimony. I swear that it is the truth, the whole truth, and nothing but the truth, so help me God.

A large, dark, scribbled-out signature, likely redacted for privacy or legal reasons.


Monsignor Craig A. Cox
Auditor


Ecclesiastical Notary

July 6, 1994

194865

CONFIDENTIAL

COPY

INITIAL
DRAFT

RE: Reverend Jose I. Ugarte

Testimony of [REDACTED]

The interview took place on June 29, 1994, at the Chancery Office of the Archdiocese of Los Angeles, in the office of the Vicar for Clergy. Present at the interview with the witness was Monsignor Timothy Dyer, Vicar for Clergy, and Monsignor Craig A. Cox, Judicial Vicar and delegated Auditor for the interview. Monsignor Cox asked all the questions.

The witness took the customary oath in accord with canon 1562, swearing to answer all questions truthfully.

1. What is your full name?

[REDACTED]

2. What is your present address?

My address at the moment is [REDACTED]
[REDACTED] My home address is [REDACTED]
[REDACTED]

3. What is the date and place of your birth?

I was born in [REDACTED] Mexico, on [REDACTED]

4. Do you have any form of identification on you?

Yes. *[auditor's note: the witness presented a California Driver's Licence, number [REDACTED], which satisfactorily established the identity of the witness.]*

5. I understand that you are presently in St. John's Seminary. At what stage of your seminary formation are you?

I have completed my third year in theology.

6. When did you enter the seminary?

I entered St. John's College in September of 1987.

7. You wrote a two-page letter to Monsignor Dyer on April 3, 1993. Is this the letter you wrote him? *[auditor's note: the original of the letter was handed to the witness who examined it.]*

Yes, this is my letter.

Testimony of [REDACTED]
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 2

8. I would appreciate it if you would read over that letter. *[auditor's note: the witness read the letter.]* Do you swear that the statements made there are the truth?

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Testimony of REDACTED
 Concerning Reverend Jose I. Ugarte
 June 29, 1994
 Page: 3

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It is very difficult to understand. Okay, for one, Father Ugarte was a very charismatic individual in the community. I was very active in the parish community. He had a lot of power over me. I tried to avoid those situations, and each time it seemed like there would be others around. But somehow, Father Ugarte found a way to get rid of the other individual or people who were supposed to be there. I thought I would be safe, but wasn't.

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20. What would he do in giving that absolution?

Testimony of REDACTED
 Concerning Reverend Jose I. Ugarte
 June 29, 1994
 Page: 4

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26. In those two circumstances, did you observe Father Ugarte giving either of those two absolution as he had with you?

No, I didn't observe that.

Testimony of REDACTED
Concerning Reverend Jose I. Ugarte
June 29, 1994
Page: 5

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28. Is there anything you would like to add?

No.

29. Do you swear again that you have answered all questions with the complete truth?

Yes.

Replacement of crossed out sentence on page 5

"Yes, I will always do what the Church asks of me, I will always obey my archbishop" and "No, I will never turn anyone away from my door who needs counsel, I will always serve as a priest. For that is the will of the Lord." He gave no indication that he was aware of the contradiction in what he was saying.

MEMORANDUM

DATE: June 29, 1994

TO: Cardinal Mahony

FROM: Monsignor Dyer

RE: Background Material for the June 30 Meeting with Fr. Jose Ugarte

<u>DATE</u>	<u>ITEM</u>
March 7, 1994	<p>Letter from Fr. Ugarte.</p> <p>Father Ugarte arrived home from St. Luke Institute on November 2, 1993. Finally wrote this office and in his March 7 letter informed me that he had, in fact, called this office on November 20 to let me know his whereabouts.</p> <p>Our secretarial staff acknowledged that he had called, though I had never seen the message.</p>
March 29, 1994	<p>My response to his March 7 letter outlining the events which had been reported to me since his return to Southern California plus decree for suspension of faculties. (From the English original, a Spanish translation was sent to him.)</p>
March 29, 1994	<p>Phone consultation with Mr. [REDACTED] principal therapist for Father Ugarte at St. Luke Institute. This is a most important piece of information in preparation for our June 30 meeting with Fr. Ugarte.</p>
May 14, 1994	<p>Letter from Fr. Ugarte to me disputing the issues in my March 27 letter to him. (Gives a good example of his style: he first refutes the information as "incorrect" "bordering on a lying spirit", but gives no facts to refute the evidence. Concentrates the rest of the letter on making a big issue out of his whereabouts after return from St. Luke Institute--trying to distract from the serious matters that were of issue in my letter.)</p>
May 25, 1994	<p>Summary memo of main issues in the files as reviewed by Monsignor Richey and myself.</p>
May 31, 1994	<p>Letter to Fr. Ugarte again asking him to make an appointment with you.</p>

25383

June 7, 1994 Letter from Fr. Ugarte to me containing his calling card presenting himself as an active priest--"si estoy dispuesto".

June 22, 1994 Memo from Msgr. [REDACTED] (Having reviewed the file, Msgr. [REDACTED] noted the possible automatic excommunication as a result of giving absolution.)

June 28, 1994 Memo from Msgr. [REDACTED] regarding the issue of Fr. Ugarte allegedly giving absolution to a victim of sexual abuse, which would involve excommunication.

June 29, 1994 Initial draft of the sworn testimony of Luis Orozco in the presence of Msgr. [REDACTED] and myself regarding the matter of absolution.



CONFIDENTIAL

MEMORANDUM

PARTICULAR RECOLLECTIONS OF MONSIGNOR TIMOTHY DYER FROM
JUNE 30, 1994 MEETING OF CARDINAL MAHONY, MONSIGNOR RICHEY,
REV. JOSE UGARTE, AND HIMSELF:

On the question of his having given absolution to [REDACTED] Father Ugarte replied that it was not the norm for him to do that after each of these sexual actions, although, he said, "I do recall one specific occasion when we were in the car. It involved masturbation, at the end of which I acknowledged that we had done something wrong, and that if this was a sin, 'yo te perdono'."

In my (Monsignor Dyer's) meetings with the parishes of Resurrection and St. Pius X, the people were unaware of the reasons for Father Ugarte's having gone to treatment, but [they] defended him to the hilt and criticized the Cardinal for having taken him out of ministry. [At this June 30 meeting] the Cardinal explained to Father Ugarte what a difficult position he had put the Archdiocese in and what damage he had done to the Church by allowing these people to think that he (Father Ugarte) was being victimized, when the Church had done everything it could to defend his reputation by not telling people what he had done. Father Ugarte was knowledgeable over these last six months that people were criticizing the Archdiocese and defending him, and he never did anything to stop that.

The Cardinal confronted Father Ugarte with the latter's calling card--"Yo estoy dispuesto"--and told him that he was clearly presenting himself as a priest in active ministry. The Cardinal mentioned that the difficulty here is that once the Archdiocese is put on notice that a man is at risk, after having already committed abuse with persons in his care, the Church must counsel that priest to remove himself not only from active ministry, but from all appearances that he is a priest in good standing. Father Ugarte replied that the people knew he had been castigated and could no longer say Mass. The Cardinal replied that Father Ugarte did not seem to understand that having a long record of people coming to him as a priest and then returning from residential treatment to the very place where he had given retreats for years, and where those retreats from his previous parishes had continued during the last eight months, that the people had no alternative but to see him in terms of being there acting as a priest.

Father Ugarte's reply was "I will obey the Church in every one of its laws. And I will obey my Archbishop. But I will always leave my door open for people to come to me for counseling and service. That is the law of God."



MEMORANDUM

NOTES OF MONSIGNOR TIMOTHY DYER CONCERNING THE MEETING OF
CARDINAL ROGER MAHONY WITH REVEREND JOSE I. UGARTE HELD JUNE
30, 1994

Present at the meeting in addition to the Cardinal and Father Ugarte were myself and Monsignor Terrence Richey. These notes concern only that part of that conversation during which there was a discussion of the allegation that Father Ugarte gave absolution to [REDACTED] subsequent to sinful sexual activity together.

After first discussing issues connected with Father Ugarte's failure to abide by the terms of his continuing care contract, Cardinal Mahony then raised the subject of Father Ugarte's behavior with [REDACTED]. The Cardinal referred to the letter of Mr. [REDACTED] to Monsignor Dyer of April 1993, calling Fr. Ugarte's attention to the claim that he had given absolution to [REDACTED] following a sexual encounter. He asked Father Ugarte to respond to that claim.

Father Ugarte did not deny the claim, but he did minimize it. He stated: "It didn't happen as often as [REDACTED] claims." Father Ugarte continued that on one occasion in a car, after sexual contact that involved masturbation, he remembers them discussing that what they did was probably wrong. So he said a prayer in which he used the words "Yo te perdono." Father Ugarte did, however, deny extending his hands over Mr. [REDACTED] head while saying this prayer of pardon.

Subsequent to Father Ugarte's comments, the Cardinal stated that Father Ugarte's behavior was extremely serious. The Cardinal further stated that Father Ugarte's actions appeared to be a violation of canon 1378 such that Father Ugarte may have incurred an automatic excommunication. The Cardinal indicated that such misuse of the Sacrament of Penance was so serious that he needed to pursue an investigation of this and probably refer the matter to Rome.

What struck me was Father Ugarte's reaction after this statement by the Cardinal. Father Ugarte did not express any remorse for his behavior. He did not object to the Cardinal's statement that this was a misuse of the Sacrament of Penance. Father Ugarte did not jump in to deny that he had given absolution. He exhibited the same aura of impeturbability that has marked him in earlier conversations and in his treatment. He did not seem to appreciate the seriously abusive nature of these behaviors.

194953

XXXIII 000405



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-3288

1531
West Ninth
Street

Los Angeles
California
90015-1194

FILE MEMORANDUM

On Thursday afternoon, June 30, 1994 there was a meeting in my office at 2:00 p.m. with the following persons present:

Cardinal Roger Mahony, Archbishop of Los Angeles
Monsignor Timothy Dyer, Vicar for the Clergy
Monsignor Terrence Richey, Office for the Vicar for the Clergy
Father Jose I. Ugarte, a priest of the Archdiocese of Los Angeles

The purposes of this meeting were: (1) to tell Father Ugarte in the clearest possible way how concerned we all are with his continuing problems; (2) to confront Father Ugarte directly with respect to his compliance, or lack thereof, with his Continuing Care Contract with the Saint Luke Institute; and (3) to challenge him about the possibility that he violated Canon Law by "absolving an accomplice in a sin against the Sixth Commandment" (Canon 1378, §1).

Father Ugarte (hereafter "JU") presented himself amiably, dressed in lay clothes.

I immediately outlined for him my grave and serious concerns about his past conduct, his compliance with his Continuing Care Contract, and with the problems dealing with Canon 1378.

After telling him of my serious concerns and reservations, I then showed him a copy of the Continuing Care Contract (Case No. 12737) which he signed on November 1, 1993 (signed as "11-1-93"). I went through the three page document slowly and carefully, and it became immediately apparent that he had not complied with virtually any of the provisions.

Most shocking was the fact the JU did not join the SA and the SLAA groups as required, nor had he contacted Doctor [REDACTED] as required. In fact, he made absolutely no attempt to contact Doctor [REDACTED] nor to enter into any aspects of his Contract.

I pointed out to him the gravity of this matter, and the

194867

seriousness of his non-compliance.

We then questioned JU about his current "ministry" up at Big Bear. We were also stunned to learn that people keep coming to him for counselling and other forms of assistance. He stated that he does not celebrate Mass nor hear Confessions, but he did state that "other priests sometimes celebrate Mass in his cabin." This led us to conclude that, indeed, ministry is taking place at his cabin at Big Bear.

Further, we have a business card [copy attached] which states quite clearly that "Rev. Jose-Ignacio Ugarte" is located at Big Bear City, and he has printed the words, "Sí, estoy dispuesto"--meaning, "Yes, I am indeed ready and at your disposal."

I told him that such activity and apparent ministry were totally unacceptable.

We then explored with him the possibility that he had violated Canon 1378 with [REDACTED]. It became more clear as we discussed this matter that JU had indeed given ever indication of having "absolved" [REDACTED] from a sin of the Sixth Commandment, and as an accomplice in that sin. I told him that we had a sworn Affidavit from [REDACTED] to this effect. JU stated that he had told [REDACTED] "Si, te perdono de tus pecados"--as close as one could come to formal Sacramental Absolution. It was very clear to [REDACTED] that he had indeed had his sin absolved by JU.

I pointed out the very serious nature of these offenses to JU, and told him that this matter was reserved to the Holy See and that this case would now have to be referred to them for consultation and procedures.

I then asked JU how many similar cases of sexual misconduct existed. He responded that there was a case in 1983 and the one with [REDACTED] in 1993. I then asked him about another case in 1975 in Ensenada, and he responded that this was true. I asked him whether there were other cases of sexual misconduct, and he stated no. [However, JU did tell the staff at St. Luke's Institute about several other actual cases.]

At no time during this hour did JU show the least remorse for his past conduct, nor any sense of urgency to deal with his Continuing Care Contract. In fact, he made no offer to do anything about his serious conduct.

JU then asked to speak with me privately, without Monsignors Richey and Dyer being present. I stated that I would not do this, that they were very much part of my team dealing with this case, and that whatever he

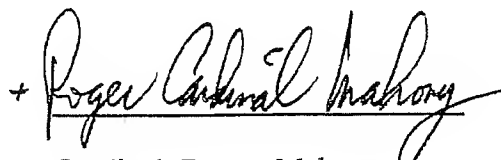
told me I would have to tell them anyway.

I then told JU that in my opinion the only viable option for him was to seek a return to the Lay State, and that we were prepared to assist him in this regard. I made it very clear that he could never function again as a priest in this Archdiocese, and the I would strongly recommend to any other Bishop that he never be given permission to function as a priest.

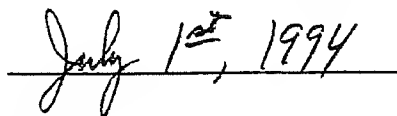
He responded that he would never consider such a petition, that God had called him to be a priest, and that he would carry on his life and work as he saw fit. He constantly vacillated between: "Yes, I will always do what the Church asks of me, I will always obey my Archbishop," and, "No, I will never turn anyone away from my door who needs counsel, I will always serve as a priest. For that is the will of the Lord." He gave no indication that he was aware of the contradiction in what he was saying.

I told JU that he was to write to me no later than Friday, July 8, 1994 outlining what he intended to do about his conduct, the Continuing Care Contract, and whether he would petition for a return to the Lay State. He gave no indication that such a letter would contain what I asked of him.

JU departed at 2:08 p.m. The three of us met and discussed the matter, highlighting the fact that JU was more dangerous today than ever before. I asked for a meeting tomorrow morning, Friday, July 1, 1994 with Monsignor [redacted] of the Tribunal to see what Canonical steps we need to take right away. I will also consult with [redacted] to see what legal steps we may need to take to protect people from the very possible acting out conduct of JU.

+ 

Cardinal Roger Mahony
Archbishop of Los Angeles



DATE

194869

MEMORANDUM

DATE: July 1, 1994
FROM: [REDACTED]
TO: Cardinal Mahony
RE: Attached (Rev. Jose Ugarte)

CONFIDENTIAL

Attached for your information is copy of material dictated by Monsignor Dyer yesterday evening and given to Monsignor [REDACTED] this morning.

Monsignor Richey indicated you would wish to see it.

194765

XXXIII 000415

7-1-94 Meeting with Mgrs. [REDACTED] & Mgrs. Richey

- more fund with excom.
- call [REDACTED] - send copy of the Memo - letter
- begin process to return to my state

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✓

32
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960

REDACTED

- ne the bail drops - Varte

REDACTED

← " →

CONFIDENTIAL

MEMORANDUM

DATE: July 1, 1994
 FROM: [REDACTED]
 TO: Cardinal Mahony
 RE: Attached (Rev. Jose Ugarte)

Attached for your information is copy of material dictated by Monsignor Dyer yesterday evening and given to Monsignor [REDACTED] this morning.

Monsignor Richey indicated you would wish to see it.



Diocese of San Bernardino
Office of the Bishop

July 14, 1994

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Roger:

Thank you for your letter dated July 7, 1994 regarding Pooled Earthquake Insurance. Our letters must have passed in the mail as I wrote to you a few days ago about this very matter. I will be asking our Business Manager, [REDACTED] to be available to attend any such meetings.

I also appreciated receiving your fax regarding the priest from the Archdiocese of Los Angeles who is presently living in Big Bear. Monsignor [REDACTED] said that he had spoken to you about this matter and we have properly informed the parishes in the vicinity. Thank you for your assistance with this matter.

With prayers and best wishes, I am

Sincerely yours in Christ,

Most Reverend Phillip F. Straling
Bishop, Diocese of San Bernardino

[REDACTED]

25370



MEMORANDUM

TO: Cardinal Roger Mahony

FROM: Msgr. [REDACTED]

RE: Rev. Jose I. Ugarte
Report on Preliminary Investigation (canon 1717)

DATE: 15 July 1994

In accord with your decree of 24 June 1994, Monsignor Timothy Dyer and I have initiated the prior investigation of canon 1717 into the potential ecclesiastical offenses which appear to have been committed by Reverend Jose I. Ugarte.

At this point, it is appropriate to present an interim report to you on the process of that investigation.

There are a number of areas in which evidence has come forward that Reverend Jose I. Ugarte has seriously violated canon law and his responsibilities as a priest. There is at least some evidence of violations of the following:

1. The absolution of an accomplice in a sin against the sixth commandment (canon 1378, §1);
2. Violations of his promise of celibacy, including illicit sexual contact with two different young men under the age of eighteen (canons 277 and 1395, §1);
3. Abuse of ecclesiastical power or function (canon 1389, 1);
4. Illegitimate performance of priestly functions subsequent to the removal of faculties (canon 1384);
5. The stirring up of hostilities against an ordinary and the incitement of subjects to disobey (canon 1373);
6. Violation of his responsibilities in obedience by ignoring his contract for continuing care agreed upon as part of his treatment at the Saint Luke Institute (canons 1371, 2° and 273).

Initial Findings:

On two of the issues listed above, there is very strong evidence that serious and repeated violations of ecclesiastical law have taken place.

- A. Canon 1378, §1: There is sworn testimony that on several occasions, Reverend Jose I. Ugarte attempted to absolve an accomplice in a sin against the sixth

195040

Memo to Cardinal Mahony
 Concerning Canon 1717 Investigation of Reverend Jose I. Ugarte
 Page: 2

commandment. These charges were brought forward by [REDACTED] who initially confronted Reverend Ugarte with those charges in a letter to him. Mr. [REDACTED] also brought them to the attention of Monsignor Dyer in a similar letter. Mr. [REDACTED] wrote those letters at the recommendation of his spiritual director. As part of this investigation, Mr. [REDACTED] was interviewed under oath. He swore to the truth of these charges and provided details about them. The testimony of Mr. [REDACTED] has been judged to be highly credible. His testimony was balanced, and was not marked by any hostility to Reverend Ugarte. The motivation of Mr. [REDACTED] was to clear his own conscience and to help prevent any future abuses similar to those inflicted upon him.

Before this prior investigation had been initiated, Reverend Ugarte had been made aware of the charges that he sexually abused Mr. [REDACTED] and also attempted to impart absolution to him. In general terms he admitted these behaviors. At that time, he made no challenge whatsoever to the charge that he attempted to extend absolution. In the course of this preliminary investigation, on June 30, 1994, you interviewed Reverend Ugarte along with Monsignor Dyer and in the presence of Monsignor Terrence Richey. That interview was designed to confront Reverend Ugarte with a number of troubling issues with the purpose of informing him of those difficulties and seeking his reform. That interview was not conducted for the purpose of obtaining Father Ugarte's formal testimony. Hence, Reverend Ugarte was not put under oath.

In the course of that interview, however, you directly and specifically confronted Reverend Ugarte with Mr. [REDACTED]'s claims of attempted absolution. Monsignor Dyer's memo of that meeting indicates that Father Ugarte took issue with some aspects of Mr. [REDACTED]'s testimony, such as the frequency with which he offered forgiveness to Mr. [REDACTED] and the gestures he employed in doing so. Father Ugarte did specifically admit using words very similar to those of confessional absolution. He admitted that this was done at the conclusion of sinful violations of the sixth commandment. He did not challenge the claim that Mr. [REDACTED] was led to believe that this was the absolution of the Sacrament of Penance and did in fact bring forgiveness of the sin just committed. Reverend Ugarte did not express and remorse for these actions. Nor did he vehemently deny misusing the Sacrament of Penance, as would have been expected if he was innocent of the charges. On the contrary, Reverend Ugarte quibbled some about details and attempted to minimize the seriousness of his behavior which led to these allegations. Given the doubts about Reverend Ugarte's truthfulness that emerge from his entire pattern of behavior, his credibility in the matter is questionable.

- B. Canon 1395: Over the years he has served as a priest, Reverend Ugarte has been charged with abusive sexual behavior on a number of occasions. Those charges include activities with at least two different persons who were under the age of eighteen at the time of the offenses. Father Ugarte has admitted a number of such actions.

At this point in the investigation, however, the time of prescription has run out on these offenses. Thus, it is not possible to bring an ecclesiastical criminal action against Father Ugarte on these grounds. Even with the recent derogations from the Holy Father, prescription prevents the imposition of a penalty for Reverend Ugarte's

Memo to Cardinal Mahony
Concerning Canon 1717 Investigation of Reverend Jose I. Ugarte
Page: 3

abusive sexual behavior on the basis of canon 1395. According to the new derogation, for delicts already committed the criminal action is not deemed extinguished until the minor who suffered the injury has reached twenty-three years of age. Mr. [REDACTED] is now twenty-eight years of age. The other incident was even further in the past. It is a shame that a penal action was not initiated when that first incident was reported since it was well within the time of prescription.

While there are indications of yet other individuals with whom Reverend Ugarte has engaged in sinful sexual activity, no one has come forward with evidence of incidents that violate the canon and where prescription has not yet passed. Even though it is not possible to lodge a criminal charge for a violation of this canon, the behavior which has been admitted or is otherwise verified establishes that Reverend Ugarte is a danger to others. In examining the other penal charges, his abusive sexual behavior becomes an aggravating circumstance envisioned in canon 1326 and could justify imposing a more severe penalty for other violations.

- C. With regard to the other areas of possible ecclesiastical crimes, further testimony needs to be taken.

Recommendations:

1. There is substantial evidence that Reverend Jose I. Ugarte violated canon 1378, §1. As a result of any such violation, he would have incurred a *latae sententiae* excommunication. Since information about this has reached the external forum, it is appropriate for you to make a determination whether the excommunication has been incurred, to declare the existence of that automatic penalty, and to refer the matter to Rome. According to the Apostolic Constitution\ *Pastors bonus*, article 52, it is a matter belonging to the competence of the Congregation for the Doctrine of the Faith. I recommend that you decree the conclusion of this prior investigation on this issue, cite Reverend Ugarte, and proceed with the process to verify and declare any penalty.
2. Should any further evidence of sexually abusive behavior emerge where the time of prescription has not passed, a criminal action should be initiated on that as quickly as possible.
3. Monsignor Dyer and I are not in a position to provide a definitive report concerning Father Ugarte's possible violations of the other canons sketched above. We will continue to conduct the appropriate investigation according to your decree of 24 June 1994.



MEMORANDUM

TO: Cardinal Roger Mahony

FROM: Msgr. [REDACTED]

RE: Rev. Jose I. Ugarte
Report on Preliminary Investigation (canon 1717)

DATE: 15 July 1994

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Memo to Cardinal Mahony
 Concerning Canon 1717 Investigation of Reverend Jose I. Ugarte
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Memo to Cardinal Mahony
 Concerning Canon 1717 Investigation of Reverend Jose I. Ugarte
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Recommendations:

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FILE COPY

MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Msgr. [REDACTED]
RE: Reverend Jose Ugarte
DATE: 18 July 1994

I have continued work on the canonical process concerning Father Ugarte. Enclosed is the official memo summarizing my findings to date. It will be a part of the acts of the case.

Also enclosed is a decree by which you move the process forward and officially cite Father Ugarte. I ask that you review and sign it, and have monsignor [REDACTED] notarize and seal it.

I am in the midst of preparing a letter to Father Ugarte citing him for the process and inviting him to name an advocate. That letter will be waiting for you tomorrow.

195071

XXXIII 000448



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

DECREE

In accord with my decree initiating the investigation required by canon 1717, Monsignor [REDACTED] acting as my auditor has provided an initial report concerning the allegations that Reverend Jose I. Ugarte has violated a number of canons which could subject him to ecclesiastical penalties. In particular, this report concludes that there is substantial evidence that Reverend Jose I. Ugarte has violated canon 1378, §1, by attempting to absolve an accomplice in a sin against the Sixth Commandment.

Having reviewed that report and the testimony and documentation gathered, I am satisfied that sufficient evidence has been gathered to close the preliminary investigation. Therefore, in accord with canon 1718, §1, I have determined that it is appropriate and expedient to set in motion the process to verify and subsequently declare the penalty which appears to have been incurred. In accord with canon 1718, §1, 3°, it is my determination that the process is to be administrative in nature.

If it is determined that the penalty was incurred, it will be declared and then the matter will be forwarded to the Congregation of the Doctrine of the Faith, since canon 1378, §1, reserves the excommunication in question to the Apostolic See.

I have determined that given the nature of the evidence, it is not necessary to consult additional experts in the law at this time (canon 1718, §3).

In accord with canon 1720, I direct that a formal citation be sent to Reverend Jose I. Ugarte, informing him of this process and offering him the opportunity to appoint an advocate and to exercise his right of defense.

In accord with canon 1720, 2°, I hereby name Bishop [REDACTED], and Monsignor [REDACTED], as assessors in the matter.

Finally, in accord with my earlier decree I direct that Monsignor Dyer and Monsignor [REDACTED] continue the investigation mandated by canon 1717 into the other possible ecclesiastical delicts which may have been committed.

Given in the Curia of the Archdiocese of Los Angeles this 19th day of July in the Year of Our Lord 1994.

Cardinal Roger M. Mahony
Archbishop of Los Angeles

Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

195072

St. Christopher Church

629 SO. GLENDORA AVENUE
WEST COVINA, CALIFORNIA 91790
(818) 960-1805

MEMORANDUM

TO: Cardinal Roger M. Mahony

FROM: Msgr. [REDACTED]

RE: Rev. Jose I. Ugarte

DATE: July 20, 1994

I have reviewed the material contained in the report on the preliminary investigation regarding Rev. Jose I. Ugarte, as well as other material contained in hsi file. In accord with the requirements of Canon 1722 it appears that action is required to preclude scandal as well as to protect the People of God.

I have considered the elements contained in the proposed precept to Reverend Ugarte. In my judgment they are an appropriate response to a grave situation.

[REDACTED]
Msgr. [REDACTED]



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

P R E C E P T

Serious allegations have been made that, by his conduct, Reverend Jose I. Ugarte has violated ecclesiastical laws to which canonical penalties are attached.

A prior investigation according to the norms of canon 1717 was initiated to inquire into the facts concerning these allegations. The results of one phase of that prior investigation indicate that Reverend Jose I. Ugarte appears to have incurred the *latae sententiae* penalty of canon 1378, §1. A process to formally declare the presence of that penalty has been initiated by a decree dated July 19, 1994. The prior investigation into other aspects of Reverend Jose I. Ugarte's behavior continues.

Having consulted Monsignor [REDACTED], the Archdiocesan Promoter of Justice, I hereby issue the following precept in accord with canon 1722. This precept is issued to preclude scandals, safeguard the course of justice, and protect the People of God. This precept is critically needed because of indications that Reverend Ugarte continues to offer ministry to people at the very site where he has previously engaged in abusive activities.

Therefore, under obedience (canon 273), I specifically bind Reverend Jose I. Ugarte to the following:

1. He is to cease all ministerial activities, whether sacramental or non-sacramental in nature. This specifically includes any sort of "pastoral counseling."
2. He is to cease distribution of his business card or engaging in any other activity which gives the impression to others that he is presently in good standing and able to minister as a priest.
3. He is prohibited from contacting members of the parishes and communities in which he has previously served, specifically the parishes of Saint Pius X (Santa Fe Springs), Saint Matthias (Huntington Park), Presentation (Los Angeles), Santa Clara (Oxnard) and Saint Thomas the Apostle (Los Angeles).
4. He is prohibited from residence in any of the dioceses of Southern California, specifically the Archdiocese of Los Angeles and the Dioceses of Orange, San Bernardino or San Diego. This provision takes effect on September 16, 1994, in order to provide sufficient time for Reverend Ugarte to make appropriate living arrangements.

This precept is temporary in nature. In accord with canon 1722, it will be revoked when the reason for it ceases, or will automatically cease at the conclusion of the penal process.

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Archdiocese of Los Angeles

Office of
the Archbishop

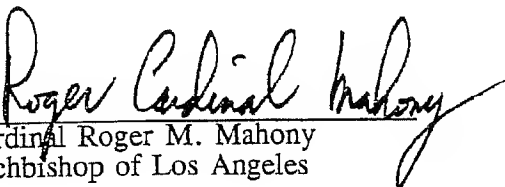
1531
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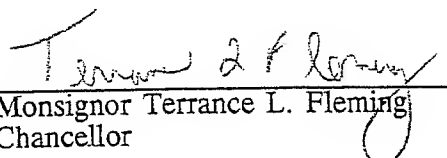
Los Angeles
California
90015-1194

Precept Issued by Cardinal Mahony to Reverend Jose I. Ugarte
July 30, 1994
Page Two

In accord with canon 1347, §1, I hereby give Reverend Jose I. Ugarte official canonical warning that failure to comply fully with the provisions of this precept is a violation of canon 1371, 2§, and will render him subject to additional canonical penalties.

Given at the Cathedral of the Archdiocese of Los Angeles this 30th day of July in the Year of Our Lord 1994.

+ 
 Cardinal Roger M. Mahony
 Archbishop of Los Angeles


 Monsignor Terrance L. Fleming
 Chancellor

Archdiocesan Seal

194877

PS Form 3811, JULY 1983 447-845

<p>SENDER: Complete items 1, 2, 3 and 4.</p> <p>Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.</p>	
<p>1. <input checked="" type="checkbox"/> Show to whom, date and address of delivery.</p> <p>2. <input type="checkbox"/> Restricted Delivery.</p>	
<p>3. Article Addressed to: EV. JOSE F. UARTE REDACTED</p>	
<p>4. Type of Service:</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail</p>	<p>Article Number</p> <p>P 054 289 633</p>
<p>Always obtain signature of addressee or agent and DATE DELIVERED</p>	
<p>5. Signature: Addressee X</p>	
<p>6. Signature: Agent X</p>	
<p>7. Date of Delivery</p>	
<p>8. Addressee's Address (ONLY if requested and fee paid)</p>	

DOMESTIC RETURN R

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XXXIII 000454

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE: \$300

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO 

ARCHDIOCESE OF LOS ANGELES

ATTN: CARDINAL ROGER M. MAHONY
(Name of Sender)

1531 WEST NINTH STREET
(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

LOS ANGELES, CA 90015
(City, State, and ZIP Code)

194879

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Rev S. J. UGARTE
REDACTED

4a. Article Number

POS 4289633

4b. Service Type

☐ Registered☐ Insured☒ Certified☐ COD☐ Express Mail☐ Return Receipt for Merchandise

5. Date of Delivery

6. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991

*U.S. GPO: 1992-223-402

DOMESTIC RETURN RECEIPT

194880

XXXIII 000456

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



*Transfer for
Clergy*

Print your name, address and ZIP Code here

• *Archdiocese of LA* •

1531 W 9th St

LA CA

90015-1194

194881



FILE COPY

Archdiocese of Los Angeles

Office of
the Archbishop1531
West 10th
StreetLos Angeles
California
90015-1994

July 30, 1994

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father Ugarte:

As you know from our meeting held June 30, 1994, evidence has come to my attention that you attempted to absolve [REDACTED] subsequent to engaging in sinful sexual activity with him. As you were informed at our meeting, this behavior appears to be a violation of canon 1378, §1, an offense to which a *latae sententiae* (automatic) excommunication is attached.

On June 24, 1994, I ordered that the prior investigation required by canon 1717 be undertaken into the various aspects of your behavior that seem to have violated canon law. Based on results of that preliminary investigation, there is strong reason to conclude that you did incur the excommunication of canon 1378, §1.

As a result, I have decreed in accord with canon 1718 that the process be set in motion to make a final determination and formal declaration concerning whether the excommunication was incurred.

In accord with canon 1720, 1°, with this citation I hereby inform you of this charge. To respect your right of self-defense, I invite you to name a canonical advocate. Enclosed is a flyer produced by the Western Region of the Canon Law Society of America. This flyer provides some information about canonical advocacy, and provides phone numbers of those you can contact for assistance in finding a properly qualified canonical advocate.

Also enclosed is a Mandate for a Procurator and Advocate. Once you have selected an advocate, please complete this mandate and return it to me immediately. We will then give your advocate access to the confidential material that form the acts of this process.

I ask that you select an advocate and inform this office no later than **August 22, 1994**. If you have not named an advocate by that time, I will appoint an advocate on your behalf in accord with canon 1723, §2. Once an advocate is named, I will schedule a date for a formal hearing concerning the charge, inviting you and your advocate to participate.

Finally, in accord with canon 1722, I have issued a precept binding you under obedience to a series of prohibitions. A notarized copy of this precept is enclosed. I do not issue this precept lightly. I am convinced it is necessary because you continue to carry out ministerial activities at the very place in which you have previously admitted engaging in inappropriate

194882



Archdiocese of Los Angeles

Office of
the Archbishop

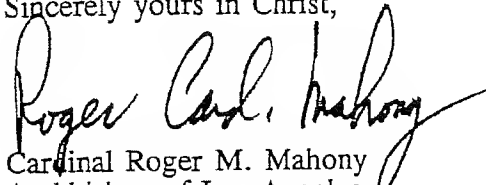
1531
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California
90015-1194

Letter of Cardinal Mahony to Rev. Jose I. Ugarte
July 30, 1994
Page Two

and abusive behaviors. I expect you to abide fully by these provisions during the time that this penal process is underway. As the precept notes, any failure to abide by these prohibitions would be a violation of your promise of obedience and would render you liable to additional canonical penalties.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

enclosures: mandate
flyer
precept

194883

XXXIII 000459

Mandate for Procurator and Advocate

In accord with canons 1481, 1484 and 1485 of the *Code of Canon Law*, I, Reverend Jose I. Ugarte, hereby appoint and give my mandate to _____, to serve as my procurator and advocate in any and all actions connected with the canonical penal process initiated by the Archdiocese of Los Angeles.

I authorize my procurator and advocate to have full access to confidential information relevant to the issues under discussion.

The extent of _____'s authorization to act as my procurator will be determined in a discussion between us. Any limits or special mandates will be put into writing as a specification of this mandate. Unless and until any such additional written specification is presented, the Archdiocese may consider my procurator and advocate as authorized to act validly in my name in all matters connected with this dispute except those exempted by canon 1485.

Given by me on the _____ day of _____, 1994.

Reverend Jose I. Ugarte

Ecclesiastical Witness/Public Notary

Official Seal

194884



Archdiocese of Los Angeles

Office of
the Archbishop1994
West Coast
SuiteLos Angeles
California
90015-1194

D E C R E E

In accord with my decree initiating the investigation required by canon 1717, Monsignor [REDACTED] acting as my auditor has provided an initial report concerning the allegations that Reverend Jose I. Ugarte has violated a number of canons which could subject him to ecclesiastical penalties. In particular, this report concludes that there is substantial evidence that Reverend Jose I. Ugarte has violated canon 1378, §1, by attempting to absolve an accomplice in a sin against the Sixth Commandment.

Having reviewed that report and the testimony and documentation gathered, I am satisfied that sufficient evidence has been gathered to close the preliminary investigation into this particular violation. Therefore, in accord with canon 1718, §1, I have determined that it is appropriate and expedient to set in motion the process to verify and subsequently declare the penalty which appears to have been incurred. In accord with canons 1342, §1, and 1718, §1, 3°, it is my determination that the process is to be administrative in nature.

If it is determined that the penalty was incurred, it will be declared and then the matter will be forwarded to the Congregation of the Doctrine of the Faith, since canon 1378, §1, reserves the excommunication in question to the Apostolic See.

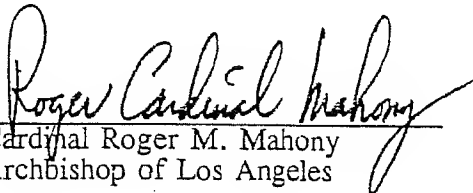
I have determined that given the nature of the evidence, it is not necessary to consult additional experts in the law at this time (canon 1718, §3).

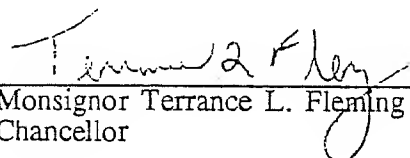
In accord with canon 1720, I direct that a formal citation be sent to Reverend Jose I. Ugarte, informing him of this process and offering him the opportunity to appoint an advocate and to exercise his right of defense.

In accord with canon 1720, 2°, I hereby name Bishop [REDACTED], and Monsignor [REDACTED], as assessors in the matter.

Finally, in accord with my earlier decree I direct that Monsignor Dyer and Monsignor [REDACTED] continue the investigation mandated by canon 1717 into the other possible ecclesiastical delicts which may have been committed.

Given in the Curia of the Archdiocese of Los Angeles this 19th day of July in the Year of Our Lord 1994.

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

195047

St. Christopher Church

629 SO. GLENDORA AVENUE
WEST COVINA, CALIFORNIA 91790
(818) 960-1805

MEMORANDUM

TO: Cardinal Roger M. Mahony

FROM: Msgr. [REDACTED]

RE: Rev. Jose I. Ugarte

DATE: July 20, 1994

I have reviewed the material contained in the report on the preliminary investigation regarding Rev. Jose I. Ugarte, as well as other material contained in hsi file. In accord with the requirements of Canon 1722 it appears that action is required to preclude scandal as well as to protect the People of God.

I have considered the elements contained in the proposed precept to Reverend Ugarte. In my judgment they are an appropriate response to a grave situation.

[REDACTED]

195048

XXXIII 000462



MEMORANDUM

TO: Bishop [REDACTED]
 Monsignor [REDACTED]

FROM: Cardinal Roger Mahony

RE: Reverend Jose I. Ugarte

DATE: 19 December 1995

As you know, I have appointed you as canonical assessors (canon 1720, 2°) in the formal process to determine whether Reverend Jose I. Ugarte violated canon 1378. Thank you for the counsel you have given me previously.

Subsequent to a hearing in which Father Ugarte participated, I determined to delay bringing the process to a close in hopes that a settlement could be negotiated with Father Ugarte. The possibility of such a settlement was raised by him through his advocate. Unfortunately, it now appears that Father Ugarte was not serious in that offer. My attempts to follow through with him by proposing a possible solution were ignored.

For that reason, I have deemed it necessary to move forward with the formal process and bring it to a close. On November 22, 1995, I wrote to Father Ugarte and to his advocate to inform them of this fact and asked for final written arguments to be submitted to me by December 8.

Father Ugarte did not submit an argument. His advocate, Father [REDACTED] has submitted an brief, arguing that absolution was not attempted, but that possibly the sacrament of Penance was simulated. A copy of Father [REDACTED] brief is enclosed.

Before I make a final determination in the matter, I am again asking for your counsel. In addition to Father [REDACTED] argument, enclosed are copies of other materials you have not previously reviewed. They are:

1. a copy of my letter dated November 22, 1994, citing Father Ugarte to a second hearing;
2. the text of the summary of the hearing held on December 8, 1994;
3. a letter from the Saint Luke Institute dated December 6, 1994, in which they discharged Father Ugarte and informed me of his lack of compliance with continuing care agreements;

194962

*Memo to Cardinal Mahony
Concerning Father Ugarte
Page 2*

4. a memo from Reverend [REDACTED] dated June 23, 1995, providing information that Father Ugarte was acting in ways violating the precept issued to him;
5. a copy of a request dated July 3, 1995, which was sent to the Archdiocese and in which Father Ugarte sought a verification of employment, a document which verifies Father Ugarte's continuing residence in Big Bear City in violation of the precept;
6. a copy of my letter to Father Ugarte and his advocate dated July 30, 1995, and an agreement I proposed to him at that time;
7. a copy of my letter to Father Ugarte of November 22, 1995;
8. a copy of my letter to Father [REDACTED] dated November 22, 1995.

I believe each of you have copies of all the other materials in the acts of the case. Should you have any questions or need copies of materials, please contact Monsignor [REDACTED] at the Tribunal.

In addition to the enclosed materials, it is vital I bring your to attention one other aspect of the matter. I do so in order that your counsel can take this into consideration. As you can see from the text of the hearing, under oath Father Ugarte strongly denied attempting to absolve Mr. [REDACTED]. For a number of reasons, I find that denial to lack credibility. Throughout this process and in other dealings with him, Father Ugarte has consistently broken his word. He denied receiving the precept issued to him, despite clear evidence he signed for it. Having been given another copy of the precept, he indicated he understood its seriousness but has not complied with it. He contracted to fulfill certain responsibilities with the Saint Luke Institute, and did not do so. He made an offer through his advocate to negotiate an agreement, but then never made any effort to come to mutually acceptable terms. It is this combination of behaviors, along with my personal assessment based on two separate meetings with him, that lead me to sad conclusion that his word is not trustworthy.

I know this is a busy time, but given the many delays in the case I ask that you analyze these materials and give me your counsel in writing no later than January 4, 1996. If you would also like to speak with me by phone or in person on the matter, please feel free to do so.

Thank you for your attention to this very sad and difficult matter.

194963

XXXIII 000466

TO: Bishop [REDACTED]
 Monsignor [REDACTED]

FROM: Cardinal Roger Mahony

RE: Reverend Jose I. Ugarte

DATE: 18 December 1995

As you know, I have appointed you as canonical assessors (canon 1720, 2°) in the formal process to determine whether Reverend Jose I. Ugarte violated canon 1378. Thank you for the counsel you have given me previously.

Subsequent to a hearing in which Father Ugarte participated, I determined to delay bringing the process to a close in hopes that a settlement could be negotiated with Father Ugarte. The possibility of such a settlement was raised by him through his advocate. Unfortunately, it now appears that Father Ugarte was not serious in that offer. My attempts to follow through with him by proposing a possible solution were ignored.

For that reason, I have deemed it necessary to move forward with the formal process and bring it to a close. On November 22, 1995, I wrote to Father Ugarte and to his advocate to inform them of this fact and asked for final written arguments to be submitted to me by December 8.

Father Ugarte did not submit an argument. His advocate, Father [REDACTED] has submitted an brief, arguing that absolution was not attempted, but that possibly the sacrament of Penance was simulated. A copy of Father [REDACTED] brief is enclosed.

Before I make a final determination in the matter, I am again asking for your counsel. In addition to Father [REDACTED] argument, enclosed are copies of other materials you have not previously reviewed. They are:

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3. a letter from the Saint Luke Institute dated December 6, 1994, in which they discharged Father Ugarte and informed me of his lack of compliance with continuing care agreements;

194964

*Memo to Cardinal Mahony
Concerning Father Ugarte
Page 2*

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5. a copy of a request dated July 3, 1995, which was sent to the Archdiocese and in which Father Ugarte sought a verification of employment, a document which verifies Father Ugarte's continuing residence in Big Bear City in violation of the precept;
6. a copy of my letter to Father Ugarte and his advocate dated July 30, 1995, and an agreement I proposed to him at that time;
7. a copy of my letter to Father Ugarte of November 22, 1995;
8. a copy of my letter to Father Deibel dated November 22, 1995.

I believe each of you have copies of all the other materials in the acts of the case. Should you have any questions or need copies of materials, please contact Monsignor [REDACTED] at the Tribunal.

In addition to the enclosed materials, it is vital I bring your to attention one other aspect of the matter. I do so in order that your counsel can take this into consideration. As you can see from the text of the hearing, under oath Father Ugarte strongly denied attempting to absolve Mr. [REDACTED]. For a number of reasons, I find that denial to lack credibility. Throughout this process and in other dealings with him, Father Ugarte has consistently broken his word. He denied receiving the precept issued to him, despite clear evidence he signed for it. Having been given another copy of the precept, he indicated he understood its seriousness but has not complied with it. He contracted to fulfill certain responsibilities with the Saint Luke Institute, and did not do so. He made an offer through his advocate to negotiate an agreement, but then never made any effort to come to mutually acceptable terms. It is this combination of behaviors, along with my assessment based on two separate meetings with him, that lead me to sad conclusion that his word is not trustworthy.

I know this is a busy time, but given the many delays in the case I ask that you analyze these materials and give me your counsel in writing no later than January 4, 1996. If you would also like to speak with me by phone or in person on the matter, please feel free to do so.

Thank you for your attention to this very sad and difficult matter.

194965

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Mrs. Dyer DATE: 7-21-94

- ☐ Please REVIEW, then SEE ME
☐ Please REVIEW, then RETURN to me
☐ Please REVIEW, then SEND me your COMMENTS
☒ Please REVIEW, then FILE
☐ Please HANDLE this matter ENTIRELY
☐ Please ANSWER; send copy of letter to me
☐ Please WRITE A REPLY for my signature
☐ For your INFORMATION
☐ Please XEROX - FAX and send copy/copies to:

Original to: ☐ file ☐ back to me ☐REMARKS: Fr. Jose Ugarte file -Thanks!

Mandate for Procurator and Advocate

In accord with canons 1481, 1484 and 1485 of the *Code of Canon Law*, I, Reverend Jose I. Ugarte, hereby appoint and give my mandate to _____, to serve as my procurator and advocate in any and all actions connected with the canonical penal process initiated by the Archdiocese of Los Angeles.

I authorize my procurator and advocate to have full access to confidential information relevant to the issues under discussion.

The extent of _____'s authorization to act as my procurator will be determined in a discussion between us. Any limits or special mandates will be put into writing as a specification of this mandate. Unless and until any such additional written specification is presented, the Archdiocese may consider my procurator and advocate as authorized to act validly in my name in all matters connected with this dispute except those exempted by canon 1485.

Given by me on the _____ day of _____, 1994.

Reverend Jose I. Ugarte

Ecclesiastical Witness/Public Notary

Official Seal



Archdiocese of Los Angeles

Office of
the Archbishop

Room
1000
1000

Los Angeles
California
90015-1194

P R E C E P T

Serious allegations have been made that, by his conduct, Reverend Jose I. Ugarte has violated ecclesiastical laws to which canonical penalties are attached.

A prior investigation according to the norms of canon 1717 was initiated to inquire into the facts concerning these allegations. The results of one phase of that prior investigation indicate that Reverend Jose I. Ugarte appears to have incurred the *latae sententiae* penalty of canon 1378, §1. A process to formally declare the presence of that penalty has been initiated by a decree dated July 19, 1994. The prior investigation into other aspects of Reverend Jose I. Ugarte's behavior continues.

Having consulted Monsignor [REDACTED], the Archdiocesan Promoter of Justice, I hereby issue the following precept in accord with canon 1722. This precept is issued to preclude scandals, safeguard the course of justice, and protect the People of God. This precept is critically needed because of indications that Reverend Ugarte continues to offer ministry to people at the very site where he has previously engaged in abusive activities.

Therefore, under obedience (canon 273), I specifically bind Reverend Jose I. Ugarte to the following:

1. He is to cease all ministerial activities, whether sacramental or non-sacramental in nature. This specifically includes any sort of "pastoral counseling."
2. He is to cease distribution of his business card or engaging in any other activity which gives the impression to others that he is presently in good standing and able to minister as a priest.
3. He is prohibited from contacting members of the parishes and communities in which he has previously served, specifically the parishes of Saint Pius X (Santa Fe Springs), Saint Matthias (Huntington Park), Presentation (Los Angeles), Santa Clara (Oxnard) and Saint Thomas the Apostle (Los Angeles).
4. He is prohibited from residence in any of the dioceses of Southern California, specifically the Archdiocese of Los Angeles and the Dioceses of Orange, San Bernardino or San Diego. This provision takes effect on September 16, 1994, in order to provide sufficient time for Reverend Ugarte to make appropriate living arrangements.

This precept is temporary in nature. In accord with canon 1722, it will be revoked when the reason for it ceases, or will automatically cease at the conclusion of the penal process.

194969



Archdiocese of Los Angeles

Office of
the Archbishop

1551
West Fourth
Street

Los Angeles
California
90015-1194

Precept Issued by Cardinal Mahony to Reverend Jose I. Ugarte
July 30, 1994
Page Two

In accord with canon 1347, §1, I hereby give Reverend Jose I. Ugarte official canonical warning that failure to comply fully with the provisions of this precept is a violation of canon 1371, 2§, and will render him subject to additional canonical penalties.

Given at the Cathedral of the Archdiocese of Los Angeles this 30th day of July in the Year of Our Lord 1994.

+ Roger Cardinal Mahony
 Cardinal Roger M. Mahony
 Archbishop of Los Angeles

Terrance L. Fleming
 Monsignor Terrance L. Fleming
 Chancellor

Archdiocesan Seal

194970

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.

2. ☐ Restricted Delivery

3. Article Addressed to:
REV. JOSE I. UGARTE
REDACTED

4. Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail

Article Number
P 054 289 633

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

Is your RE completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Rev J. I. UGARTE
REDACTED

4a. Article Number
P054 289633

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Date of Delivery

5. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, December 1991 *U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

194971

Is your Return Receipt completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Rev J. I. UGARTE
 REDACTED
 REDACTED

4a. Article Number
 P054289633

4b. Service-Type

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

Date of Delivery

5. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent) _____

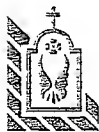
PS Form 3811, December 1991 ★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

194758

XXXIII 000486



MEMORANDUM

TO: Monsignor Timothy Dyer
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 1 August 1994

In your absence, things have been moving ahead in this matter. The Cardinal has formally begun the penal process on the question of possible automatic excommunication. He has also issued a precept for Fr. Ugarte. These issues will come to a head later in August, with a hearing and action on the penalty.

There remains, however, much more to be done in terms of gathering testimony with regard to Fr. Ugarte's other alleged offenses. It would be on the basis of all these other matters that any potential penalty of dismissal from the clerical state will hinge.

At this point, I suggest that you obtain formal sworn testimony from the pastors of the parishes where Fr. Ugarte has been undermining ministry. This should be taken in the same fashion as we took the testimony of Mr. [REDACTED]. They need to be questioned individually and under oath. They should be asked very specific and concrete questions as to any efforts by Father Ugarte to undermine their authority, to abuse ecclesiastical office, to manipulate and control or intimidate people. From my recollection of the file, Fr. [REDACTED] and also [REDACTED] might be in the position to offer some sworn testimony. There may be need to obtain that from a few others, depending on what we learn.

Let's discuss this when you return. Sorry to burden you, but this is one matter where I do believe we need to move forward expeditiously.

194759

XXXIII 000487

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Rev S. J. UGARTE
 REDACTED
 REDACTED

4a. Article Number
POS4289633

4b. Service Type

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

Date of Delivery

5. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent) */*

PS Form 3811, December 1991 *U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

MEMORANDUM

DATE: AUGUST 9, 1994

FROM: [REDACTED]

TO: FR. TIM

RE: REV. JOSE UGARTE

{ [REDACTED] ≠ [REDACTED]
 anyone else (es. me or the "elder")
 Cause.

Mr. [REDACTED] called and asked me to inform you that they are very concerned about Fr. Jose Ugarte. He has been ill for the past several weeks -- has been running a high fever.

Mr. [REDACTED] can be reached at [REDACTED]

[REDACTED]

- 8/11/94 - [REDACTED] Brother is low, [REDACTED]
 said Fr. Ugarte is fine -- (per [REDACTED])
 - About 2 mo. ago he fell, but he's OK now.
 - [REDACTED] thinks he's never been a boxer.

} Per

MEMORANDUM

August 19, 1994

TO: C-File

FROM: Father Timothy Dyer

RE: Fr. Jose Ugarte/ Reports by Msgr. [REDACTED] and Fr. [REDACTED]

Secretary at the parish church in Big Bear told me [REDACTED] that Fr. Ugarte had come to the church with a group of teens to offer Mass on several occasions. He told the secretary that he was writing a book and the cabin where he stayed (just a block from her own house) was owned by the Archdiocese.

I [REDACTED] then spoke to her husband, Mr. [REDACTED] who said Ugarte told him it was his own cabin. Mr. S. sees Ugarte quite often in the town in the company of a young (around 18 yrs. of age) Hispanic man. Nearly every weekend -- including the previous weekend (July 30-31 or August 6-7) -- Mr. [REDACTED] has observed "eight or nine" vans around the cabin and the cabin filled with young people.

[REDACTED] and [REDACTED] at Pius X parish, say that they are having trouble with the youth -- "submarining" and that they know the youth are going up to the cabin...

Leaders at Presentation parish say there are 2 cabins -- one belonging to the "Community" and the other to Ugarte. They are unwilling to show the deed to the cabin.

Info asked for at our 8/19/94 mtg,
re Agents.



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

8/19/94

This business mgr. + her husband spoke to [REDACTED]
and have a good deal of info re present activities
of Mr. Jose I. Agente.

25142

REDACTED

To _____

Date 19-VIII-94 Time 3:15

While You Were Out

M Father REDACTED

of _____

Phone (213) REDACTED

AREA CODE	NUMBER	EXTENSION
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	

☐ RETURNED YOUR CALL

Message REDACTED

(Signature) REDACTED

UNSUB

REDACTED

Trans ST. JOSEPH

REDACTED REDACTED

Operator _____

CARDINAL 4C200

195074

JOSE V.

DISCROSS 107

REDACTED

Wed. AUG. 10

REDACTED

1) In big bear > 15150 SEC. of ST. JOSEPH

live a block from home - a month ago FAX - WASHINGTON

Coming to del with group of children - end of July
Gather land OK'd until fort.
after fort, not clear now.

~~He~~ He was writing a book
- TO HIM SAID CABIN OWNED BY DISCROSS - he is related.

- Husband lives: retired
~~cat...~~

- 60 HS Brown female with ^{MALE} ~~MALE~~ LATINO, age 18 or so.
seen repeatedly

- Has lots of this every weekend - ~~cat~~
He last week for 9 can work (JULY 30-31
or AUG 6-7)

- With ~~del~~ teenagers on balcony. 2 males & girl
But a guy pe-ter public - under 17 - probably.

REDACTED

2 HUSBANDS

195075

DFC-93 - ST. MATTHEW

VOWS - VOTOS
REDACTED REDACTED
REDACTED ACTED 8

REDACTED

REDACTED

- ST. PIUS PRAYER GROUP - 2 leaders say core group still going up there
- Youth group, rehab 2 - adult group. One member, is "middle" of the group.
- One going up to Big Bear

PILGRIMAGE

REDACTED

THREE

REDACTED

guy named [REDACTED] placed with Little Rock.

REDACTED

3 new eyes, elderly gentleman from PIUS
"I went up to see him in the mountain"

(*) ANOTHER GENTLEMAN
from REDACTED

> He had been a druggie but walked away... "He's becoming a God."

* apparently DENIES ORDINATION in Spain??

* CLAIM that ANCH NOT SUPPORT him. SLANDER
"THE ONE IN REAL PROBLEM WITH GOD IS" REDACTED

REDACTED

??

* HUSBAND & WIFE from RESERVATION, now in Santa Maria
* REDACTED

195076



**Diocese of San Bernardino
Office of the Bishop**

August 23, 1994

His Eminence Roger Cardinal Mahony
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015-1194

Your Eminence:

This is to authorize your delegates either Reverend Monsignor [REDACTED] or Reverend Monsignor Timothy Dwyer to be in the Diocese of San Bernardino for canonical process concerning Reverend Jose I. Urgate (Canon 1469.2). Reverend Urgate is a member of the presbyterate in the Archdiocese of Los Angeles, who is on administrative leave and living in Big Bear, California which is located in the Diocese of San Bernardino.

I give my permission for either Monsignor Dwyer or Monsignor [REDACTED] to interview and procure the testimony of Reverend [REDACTED] and [REDACTED]. This interview may take place at St. Joseph Parish in Big Bear.

Please keep me informed of the status of Reverend Jose I. Urgate if he remains in residency in this diocese.

If I can be of any assistance with this matter, do not hesitate to contact me. With every best wish, I am

Sincerely yours in Christ,

Most Reverend Phillip F. Straling
Bishop, Diocese of San Bernardino

[REDACTED]

25365

REFERRAL MEMORANDUM I from CARDINAL ROGER J. CAHONY

TO: Magnus Dyer + [REDACTED] DATE: 8-24-94

- ☐ Please REVIEW, then SEE ME
☐ Please REVIEW, then RETURN to me
☐ Please REVIEW, then SEND me your COMMENTS
☐ Please REVIEW, then FILE

☒ Please HANDLE this matter ENTIRELY
☐ Please ANSWER; send copy of letter to me
☐ Please WRITE A REPLY for my signature
☐ For your INFORMATION
☐ Please XEROX - FAX and send copy/copies to:

T.D.
 original
 going to
 who
 will pick it up
 from me this
 afternoon
 (Thursday)

Original to: ☐ file ☐ back to me ☐

REMARKS: _____

Thanks!

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Msgr. Dyer + [REDACTED] DATE: 8-24-94

- ☐ Please REVIEW, then SEE ME
☐ Please REVIEW, then RETURN to me
☐ Please REVIEW, then SEND me your COMMENTS
☐ Please REVIEW, then FILE
☒ Please HANDLE this matter ENTIRELY
☐ Please ANSWER; send copy of letter to me
☐ Please WRITE A REPLY for my signature
☐ For your INFORMATION
☐ Please XEROX - FAX and send copy/copies to:

Original to: ☐ file ☐ back to me ☐

REMARKS:

Thanks!

original given to Msgr. Dyer

8-25



FILE COPY

Archdiocese of Los Angeles

REDACTED

933
South Grattan
StreetLos Angeles
California
90015-1100

August 30, 1994

REDACTED

Dear Mr. REDACTED

Thank you so much for meeting with me earlier today. I appreciate your willingness to assist in this matter.

Enclosed is a typed summary of the testimony you presented today. I ask that you please review it and make any corrections or clarifications that are necessary. Then please signed the enclosed oath verifying your testimony and send all the pages back to me. I have the text in my computer and will incorporate the changes you make.

Enclosed is a pre-addressed envelope for your convenience.

Again, thank you for your assistance. May God bless you.

Sincerely yours in Christ,
REDACTED

enclosures: draft of testimony

195081

Testimony of REDACTED
Concerning Reverend Jose I. Ugarte
August 30, 1994
Page: 4

REDACTED responded to all questions without any sign of evasiveness and with an evident sincerity. It was clear that he is a man of deep faith. In informal conversation subsequent to the testimony, he spoke of his deep respect for the priesthood and for priests. He was saddened to know that Father Ugarte may be misusing his priesthood.

The testimony of the witness was consistent and this auditor believes he is fully credible.

195084

XXXIII 000507

TRIBUNAL OF THE ARCHDIOCESE OF LOS ANGELES

END OF THE SESSION

Q. Have you anything to add, change, or take away in the testimony which you have given?

A.

Then the affiant took the customary oath that he/she had told the truth and that he/she would preserve secrecy regarding these questions and answers until the conclusion of this case. This sworn statement was then signed by the affiant and all present.

REDACTED

REDACTED

(

Affiant

Judge/Instructor

Defender of the Bond

REDACTED

Given in the Curia of the
Archdiocese of Los Angeles in California

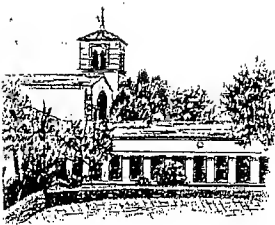
this 30TH day of AUGUST, 19 94.

Opinion concerning the affiant's credibility and truthfulness:

Special Auditor

195085

XXXIII 000508



ST. JOHN'S SEMINARY

CONFIDENTIAL

SEMINARIO DE SAN JUAN • CHỦNG VIỆN THÁNH GIOAN • SEMINARYO NG SAN JUAN

September 6, 1994

OFFICE OF THE RECTOR/PRESIDENT

Cardinal Roger M. Mahony
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Cardinal Mahony:

I have reviewed the file for Jose Ugarte and there is a letter signed by Father [REDACTED] to the Rector of the Seminary in Spain requesting a letter of recommendation. There is no record of any letter in the file from the Seminary in response to this request. I am enclosing a confidential faculty vote. The file contains all of the petitions for minor orders as well as major.

If there is anything else I can do for you, please let me know.

Sincerely yours in Christ,

Rev. Jeremiah McCarthy
Rector/President

25466

5012 SEMINARY ROAD • CAMARILLO, CA 93012-2598 • 482-2755 • FAX (805) 484-4014

XXXIII 000510

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Msgr. Dyer DATE: 9-7-94

- ☐ Please REVIEW, then SEE ME
- ☐ Please REVIEW, then RETURN to me
- ☐ Please REVIEW, then SEND me your COMMENTS
- ☐ Please REVIEW, then FILE

- ☒ Please HANDLE this matter ENTIRELY
- ☐ Please ANSWER; send copy of letter to me
- ☐ Please WRITE A REPLY for my signature
- ☐ For your INFORMATION
- ☐ Please XEROX - FAX and send copy/copies to:

Original to: ☐ file ☐ back to me ☐ _____REMARKS: I don't know who requested this -Thanks!



MEMORANDUM

TO: Cardinal Roger Mahony
 FROM: Monsignor [REDACTED]
 RE: Reverend Jose I. Ugarte
 DATE: 7 September 1994

 We have scheduled a hearing on the question of whether Father Ugarte has incurred the excommunication. That has been set for Thursday, October 27 at 10:00 in your office.

Enclosed are items for your action:

- 1) A mandate appointing Fr. [REDACTED] as advocate for Fr. Ugarte to be signed by you, witnessed by Msgr. [REDACTED] and returned to me.
- 2) A letter of citation to be signed by you. I need 2 copies of the signed version (one for Fr. [REDACTED], one for the file).
- ✓ 3) Please have the letter of citation sent via certified mail, return receipt requested.

On Friday, I will send materials off to Father [REDACTED]

yo!
 [REDACTED] and Monsignor [REDACTED] are the assessors in this case. I assume that you will want to have Monsignor [REDACTED] present for the hearing. I will so inform him.

Thank you.

Dore - Thanks!




Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

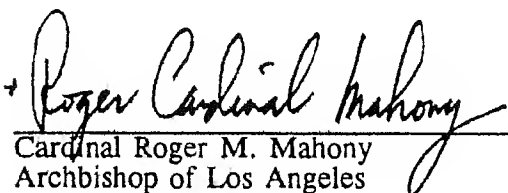
Appointment of Advocate

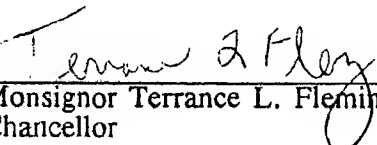
In a letter dated July 30, 1994, Reverend Jose I. Ugarte was cited to face charges of violating canon 1378, §1. In that same letter, Father Ugarte was invited to name a canonical advocate and given a deadline of August 22, 1994, in which to do so. As of this date, more than two weeks after that deadline, Father Ugarte has not appointed an advocate.

Therefore, in accord with canon 1723, §2, of the *Code of Canon Law*, I hereby name Reverend [REDACTED] to serve as Advocate for Father Jose I. Ugarte in any and all actions connected with the canonical penal process initiated by the Archdiocese of Los Angeles. Father Ugarte will be notified of this appointment and advised to contact Father [REDACTED].

I authorize Father [REDACTED] to have full access to confidential information relevant to the issues under discussion.

Given by me on the 7th day of September 1994.


Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

25356

Pastoral Regions: Our Lady of the Angels San Fernando San Gabriel San Pedro Santa

XXXIII 000514



MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 7 September 1994

We have scheduled a hearing on the question of whether Father Ugarte has incurred the excommunication. That has been set for Thursday, October 27 at 10:00 in your office.

Enclosed are items for your action:

- 1) A mandate appointing Fr. [REDACTED] as advocate for Fr. Ugarte to be signed by you, witnessed by Msgr. [REDACTED] and returned to me.
- 2) A letter of citation to be signed by you. I need 2 copies of the signed version (one for Fr. [REDACTED] one for the file).
- ✓ 3) Please have the letter of citation sent via certified mail, return receipt requested.

On Friday, I will send materials off to Father [REDACTED] *yo!*
[REDACTED] and Monsignor [REDACTED] are the assessors in this case. I assume that you will want to have Monsignor [REDACTED] present for the hearing. I will so inform him.

Thank you.

Done - Thanks!
→

194755

XXXIII 000515



Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
(213) 251-3245

933
South Grattan
Street

Los Angeles
California
90015-1100

September 16, 1994

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father [REDACTED]

As I mentioned in our earlier phone conversation, it has become necessary for Cardinal Mahony to appoint you as an advocate for Reverend Jose I. Ugarte in accord with the provisions of canon 1723, §2. A copy of the mandate of appointment is enclosed. Also enclosed is a copy of a letter to Father Ugarte informing him of this step. As you can see, we have given him your address and telephone. Our hope is that he will contact you and obtain the full benefit of your expertise.

The process at issue is an administrative penal process to determine whether Father Ugarte violated canon 1378, §1. The excommunication for such a violation would have been incurred *latae sententiae*. The present process is to consider whether to formally declare that the penalty was incurred.

A hearing has been scheduled by the Cardinal for Thursday, October 27, 1994, at 10:00 a.m. Father Ugarte been cited for that hearing, but has given no indication whatsoever whether he will or will not attend.

Enclosed are copies of documents relevant to the specific issue of the alleged violation of canon 1378, §1 by Father Ugarte. These documents are provided solely for use in this canonical process. The Cardinal binds you with the oath of secrecy provided by canon 1455, §3, in your use of these documents. No other copies of any of this material can be made without the express written consent of Cardinal Mahony. Likewise, they are not to be shown to anyone else without the express authorization of the Cardinal. At the conclusion of the canonical process, these documents are to be destroyed or returned to the Archdiocese.

Specifically, I have enclosed copies of the following:

- 1) letter of [REDACTED] to Father Ugarte of 16 February 1993;
- 2) memo of [REDACTED] to Monsignor Timothy Dyer of April 3, 1993;
- 3) memo of Monsignor Dyer dated April 12, 1993, summarizing a meeting with [REDACTED] held on April 10, 1993;
- 4) copy of "Continuing Care Contract" signed by Father Ugarte on November 1, 1993;
- 5) memo of Monsignor Terrence Richey to Monsignor Dyer dated May 25, 1994;

194975



Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
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933
South Grattan
Street

Los Angeles
California
90015-1100

-2-

- 6) decree opening a canonical investigation issued by Cardinal Mahony on 24 June 1994;
- 7) copy of business card of Father Ugarte obtained in 1994;
- 8) formal testimony of [REDACTED] given June 29, 1994, reviewed and approved July 6, 1994;
- 9) memo of Cardinal Mahony summarizing a meeting held on June 30, 1994;
- 10) memo of Monsignor Dyer summarizing the meeting held on June 30, 1994;
- 11) report of Monsignor [REDACTED], auditor, to Cardinal Mahony, on the progress of the investigation dated 15 July 1994;
- 12) decree of 19 July 1994 concluding one aspect of the preliminary investigation begun by the decree of 24 June 1994;
- 13) memo of Monsignor [REDACTED] Promoter of Justice, dated July 20, 1994;
- 14) letter of citation of Cardinal Mahony to Father Ugarte dated July 30, 1994;
- 15) precept issued by Cardinal Mahony to Father Ugarte dated July 30, 1994;

I ask that you please review these materials before the upcoming hearing. Thank you.

I also wanted to make you aware that the canon 1717 investigation continues into other possible violations of ecclesiastical law on the part of Father Ugarte.

Sincerely yours in Christ,

enclosures

194976



Archdiocese of Los Angeles

REDACTED

1531
West Ninth
Street

Los Angeles
California
90015-1194

September 8, 1994

Rev. Jose I. Ugarte
REDACTED

Dear Father Ugarte:

As you were informed in my letter of July 30, 1994, I have opened the formal process to make a final determination on whether you incurred the *latae sententiae* (automatic) excommunication of canon 1378, §1.

With this letter, I hereby cite you to be present for a canonical hearing in the Chancery of the Archdiocese of Los Angeles on Thursday, October 27, 1994 at 10:00 a.m.

In my letter of July 30, I invited you to name a canonical advocate to advise and represent you in the penal process. I asked you to chose an advocate by August 22, 1994. I allowed two additional weeks to pass to give you every opportunity to select an advocate.

Since you have not selected and mandated an advocate, it is my responsibility to appoint an advocate *pro tempore* for you in accord with the norms of canon 1723, §2.

I have appointed REDACTED, to this responsibility. REDACTED was chosen because of his wide experience in serving as an advocate for priests. He is also from outside of the ecclesiastical province of Los Angeles, which provides him a clear independence.

I strongly recommend that you contact REDACTED to obtain the full benefit of his expertise. You can reach him at:

REDACTED
c/o Christian Brothers
4403 Redwood Road
Napa, CA 94558
REDACTED

A copy of this letter is being sent to REDACTED. He will also be provided copies of the evidence which has been brought forward in this case.

194972



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

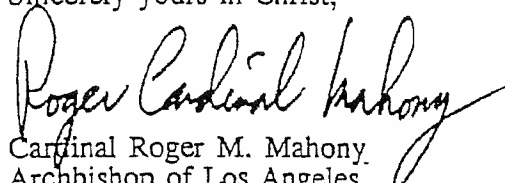
Los Angeles
California
90015-1194

Letter to Reverend Jose I. Ugarte
September 8, 1994
Page 2

It is a matter of deep sadness to me to have to pursue this process, but it is my responsibility to act to fulfill my responsibilities as your Bishop and Shepherd of the local church of Los Angeles.

You continue to be in my prayers.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: Rev. 

194973

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1984-446-014

PS Form 3800, Feb. 1982

Sent to Rev. Jose Ugarte	
Street and No. REDACTED	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered ✓	1.00
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29
Postmark or Date J-C 9/9 4:30	

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Reverend Jose I. Ugarte
REDACTED

4. Article Number
P 054 289 700

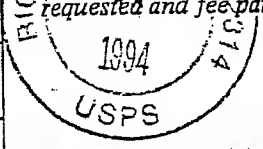
Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Addressee's Address (ONLY if requested and fee paid)

7. Date of Delivery

8. Date of Delivery




SEP. 11, 1994
CAN BE MADE
OUT ON THE
ORIGINAL

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT


UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS


SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO 


Print Sender's name, address, and ZIP Code in the space below.

CARDINAL ROGER MAHONY
1531 WEST NINTH ST
LOS ANGELES CA 90015





PENALTY FOR PRIVATE USE \$300



194890

CONFIDENTIAL

September 9, 1994

TO: Cardinal Mahony
FROM: Father Timothy Dyer (1)
RE: Attached re Fr. Ugarte

Following our meeting with Fr. Ugarte, you asked me to contact the Seminary for his records; there had been some mention about his possibly not being recommended by the Seminary in Spain from which he transferred to St. John's in 1969.

Fr. [REDACTED] has located an August 15, 1969 letter (yellow post-it) from Fr. [REDACTED] to the rector of the seminary in Spain. Apparently, there was never any reply. Fr. [REDACTED] inquired, following Ugarte's application for admission, "...whether he (Ugarte) was dismissed from your seminary or whether he left of his own free will." It would be helpful, in light of our current canonical process, to ask the seminary in Spain if their records reveal anything that would finally answer Fr. [REDACTED] letter. I believe, however, that it would take your signature to the present rector to get any "confidential" files unlocked.

Would you, then, write such a letter or, if you prefer, give me instructions to draft one. I presume it would be translated into Spanish.

*at this late hour before my trip I
cannot do this - please proceed,*

+ RMM

9-9-94

COPY

MEMORANDUM

DATE: September 15, 1994

TO: [REDACTED]

FROM: [REDACTED]

RE: Rev. Jose Ugarte

Attached is copy of last instruction to you regarding
REV. JOSE UGARTE.

Monsignor Dyer now needs ALL CANCELLED CHECKS TO DATE, i.e.,
the one big one for \$3476 and each monthly check thereafter
beginning with the one for April 1994.

I am sorry to put you to this trouble, but believe this is
necessary for legal reasons.

Please let me know ASAP how long it will take for you to get
these.

Many thanks.

MEMORANDUM

DATE: September 15, 1994
 TO: [REDACTED]
 FROM: [REDACTED]
 RE: Rev. Jose Ugarte

Attached is copy of last instruction to you regarding REV. JOSE UGARTE.

Monsignor Dyer now needs ALL CANCELLED CHECKS TO DATE, i.e., the one big one for \$3476 and each monthly check thereafter beginning with the one for April 1994.

I am sorry to put you to this trouble, but believe this is necessary for legal reasons.

Please let me know ASAP how long it will take for you to get these.

Many thanks.

~~Handwritten~~
Manual check

4/94

1000.1993 Knu March 1994
 \$3,480.00

9647

hand done!
 needs to
 be gotten

696.00

676872 ✓

5/94

696.00

987961 ✓

6/94

1,325.14

277275 ✓

7/94

696.00

605566 ✓

8/94

696.00

934930 ✓

Sept

1010.57

2375.25



Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
(213) 251-3245

933
South Grattan
Street

Los Angeles
California
90015-1100

September 16, 1994

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father [REDACTED]

As I mentioned in our earlier phone conversation, it has become necessary for Cardinal Mahony to appoint you as an advocate for Reverend Jose I. Ugarte in accord with the provisions of canon 1723, §2. A copy of the mandate of appointment is enclosed. Also enclosed is a copy of a letter to Father Ugarte informing him of this step. As you can see, we have given him your address and telephone. Our hope is that he will contact you and obtain the full benefit of your expertise.

The process at issue is an administrative penal process to determine whether Father Ugarte violated canon 1378, §1. The excommunication for such a violation would have been incurred *latae sententiae*. The present process is to consider whether to formally declare that the penalty was incurred.

A hearing has been scheduled by the Cardinal for Thursday, October 27, 1994, at 10:00 a.m. Father Ugarte been cited for that hearing, but has given no indication whatsoever whether he will or will not attend.

Enclosed are copies of documents relevant to the specific issue of the alleged violation of canon 1378, §1 by Father Ugarte. These documents are provided solely for use in this canonical process. The Cardinal binds you with the oath of secrecy provided by canon 1455, §3, in your use of these documents. No other copies of any of this material can be made without the express written consent of Cardinal Mahony. Likewise, they are not to be shown to anyone else without the express authorization of the Cardinal. At the conclusion of the canonical process, these documents are to be destroyed or returned to the Archdiocese.

Specifically, I have enclosed copies of the following:

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- 5) memo of Monsignor Terrence Richey to Monsignor Dyer dated May 25, 1994;

25354



Archdiocese of Los Angeles

Office of the
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-2-

- 6) decree opening a canonical investigation issued by Cardinal Mahony on 24 June 1994;
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- 14) letter of citation of Cardinal Mahony to Father Ugarte dated July 30, 1994;
- 15) precept issued by Cardinal Mahony to Father Ugarte dated July 30, 1994;

I ask that you please review these materials before the upcoming hearing. Thank you.

I also wanted to make you aware that the canon 1717 investigation continues into other possible violations of ecclesiastical law on the part of Father Ugarte.

Sincerely yours in Christ,

enclosures

25355



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

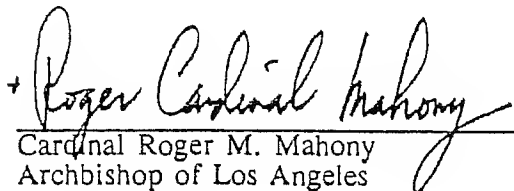
Appointment of Advocate

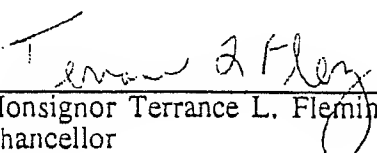
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Therefore, in accord with canon 1723, §2, of the *Code of Canon Law*, I hereby name Reverend [REDACTED] to serve as Advocate for Father Jose I. Ugarte in any and all actions connected with the canonical penal process initiated by the Archdiocese of Los Angeles. Father Ugarte will be notified of this appointment and advised to contact Father [REDACTED]

I authorize Father [REDACTED] to have full access to confidential information relevant to the issues under discussion.

Given by me on the 7th day of September 1994.


Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

194893



Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
(213) 251-3245

933
South Grattan
Street

Los Angeles
California
90015-1100

September 16, 1994

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father [REDACTED]

As I mentioned in our earlier phone conversation, it has become necessary for Cardinal Mahony to appoint you as an advocate for Reverend Jose I. Ugarte in accord with the provisions of canon 1723, §2. A copy of the mandate of appointment is enclosed. Also enclosed is a copy of a letter to Father Ugarte informing him of this step. As you can see, we have given him your address and telephone. Our hope is that he will contact you and obtain the full benefit of your expertise.

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195057



Archdiocese of Los Angeles

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90015-1100

-2-

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I ask that you please review these materials before the upcoming hearing. Thank you.

I also wanted to make you aware that the canon 1717 investigation continues into other possible violations of ecclesiastical law on the part of Father Ugarte.

Sincerely yours in Christ,

enclosures

195058



Archdiocese of Los Angeles

REDACTED

1531
West Ninth
Street

Los Angeles
California
90015-1194

September 8, 1994

Rev. Jose I. Ugarte
REDACTED

Dear Father Ugarte:

As you were informed in my letter of July 30, 1994, I have opened the formal process to make a final determination on whether you incurred the *latae sententiae* (automatic) excommunication of canon 1378, §1.

With this letter, I hereby cite you to be present for a canonical hearing in the Chancery of the Archdiocese of Los Angeles on **Thursday, October 27, 1994 at 10:00 a.m.**

In my letter of July 30, I invited you to name a canonical advocate to advise and represent you in the penal process. I asked you to choose an advocate by August 22, 1994. I allowed two additional weeks to pass to give you every opportunity to select an advocate.

Since you have not selected and mandated an advocate, it is my responsibility to appoint an advocate *pro tempore* for you in accord with the norms of canon 1723, §2.

I have appointed Reverend REDACTED, to this responsibility. Father REDACTED was chosen because of his wide experience in serving as an advocate for priests. He is also from outside of the ecclesiastical province of Los Angeles, which provides him a clear independence.

I strongly recommend that you contact Father REDACTED to obtain the full benefit of his expertise. You can reach him at:

REDACTED
c/o Christian Brothers
4403 Redwood Road
Napa, CA 94558
REDACTED

A copy of this letter is being sent to Father REDACTED. He will also be provided copies of the evidence which has been brought forward in this case.

194752



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

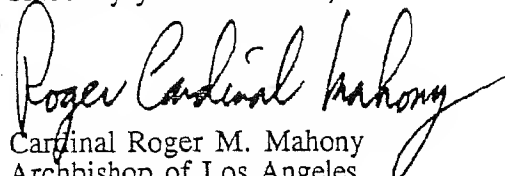
Los Angeles
California
90015-1194

Letter to Reverend Jose I. Ugarte
September 8, 1994
Page 2

It is a matter of deep sadness to me to have to pursue this process, but it is my responsibility to act to fulfill my responsibilities as your Bishop and Shepherd of the local church of Los Angeles.

You continue to be in my prayers.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: 

194753



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

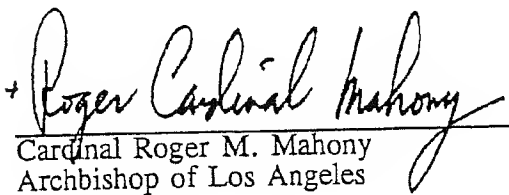
Appointment of Advocate

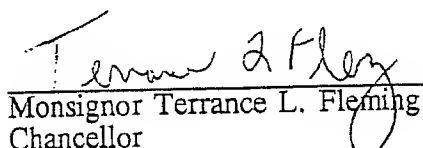
In a letter dated July 30, 1994, Reverend Jose I. Ugarte was cited to face charges of violating canon 1378, §1. In that same letter, Father Ugarte was invited to name a canonical advocate and given a deadline of August 22, 1994, in which to do so. As of this date, more than two weeks after that deadline, Father Ugarte has not appointed an advocate.

Therefore, in accord with canon 1723, §2, of the *Code of Canon Law*, I hereby name Reverend [REDACTED] to serve as Advocate for Father Jose I. Ugarte in any and all actions connected with the canonical penal process initiated by the Archdiocese of Los Angeles. Father Ugarte will be notified of this appointment and advised to contact Father [REDACTED].

I authorize Father [REDACTED] to have full access to confidential information relevant to the issues under discussion.

Given by me on the 7th day of September 1994.


Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

194754

September 19, 1994

His Eminence Roger Cardinal Mahony
1531 West Ninth ST
Los Angeles, CA 90015

Dear Cardinal Mahony:

Greetings, etc.

While still recovering, though slowly from a long pulmonary illness, I have decided to write you these lines to inform you regarding three matters that concern us.

I don't pretend in any way to judge you, least of all, behave in an uneducated manner toward you. I don't even pretend to justify myself as I accept both the responsibility for my acts as well as the consequences. My only intention is to inform and clarify certain situations with all the honesty and compassion possible.

In the first place, I want to refer to my visit with you on last June 30. I had hoped to meet with you as a careful pastor, an understanding father, or better, a merciful/tenderhearted "Jesus".

Deception: I perceived you to be someone without depth, you didn't even ask me how I was, what I needed, how I was getting along. How sad! I think this saddens Our Lord's heart greatly.

One day the Lord will raise you up so that you will love all your people with all the passion of your heart. The Lord, prophetically, has told us you have forgotten his name and prefer to seek refuge in power. This is not life-giving for ones self, nor for God's people.

I don't judge you, as I said previously, I only repeat with pain what the Lord has manifested about you.

Desiring to be brief, I'll go on to the second point. At the end of our interview the same day, June 30, I asked you to give me 5 minutes to speak about something delicate. You denied me those minutes, and I felt bad.

I wish to announce the following: Last March, in your Sunday Masses, the Pastor of Resurrection Church mentioned my name publicly, accusing me of "having abused 'children'".

Upon learning of that, my lawyers became furious. We consider that procedure on the part of the aforementioned Pastor to unacceptable ethically, morally and professionally. We also believe that since my name has been seriously defamed publicly, then the reparation should also be public.

For that reason, a civil demand is being prepared through the courts--for a minimum figure of \$23 million. I never wanted to reach this extreme, but if the circumstances require it, it will have to be done.

If what has been said above is serious, what I will say next is more so, as I will say it in the name of the Lord. In the future, God willing, I will speak to you in great detail, if that is your wish.

With all honesty, and God is witness to it, I have never been desirous of power nor money. I just wanted to live poorly (sp.) and simply, looking always to do the will of the Father.

For many years, the Lord has been forming us, guiding us and speaking prophetically to us with great power.

I can tell you, without fear of being mistaken, that the Lord has a special plan of salvation centered around Presentation Church. I guarantee this in the Lord's name.

I know that I'm not so great. But the Lord has placed His eyes upon me to be a part of this plan of His. The Lord chooses the lowest and most useless to manifest His power and His grace. He has done it in the past and continues to do it today. The stone that is disregarded by the builders becomes the stone upon which God builds.

I could very easily return to my country and be useful there. Humanly speaking, it would be best. But I am totally convinced that the Lord has called me for this salvation plan of his, in these present times--times of the Spirit, and I will remain here so that the Lord can use me how and when He wants to.

That is why, I say to you that what is being done to the community at Presentation is an authentic abuse in God's eyes and certainly shameful before the eyes of men.

You cannot imagine how the Lord has looked with pleasure on this community and has rested in the midst of it, poor tho they be, but who love Him with all their hearts! This community is the joy of the Spirit and woe to those who dare to go against the Lord's wishes.

I am willing to speak with you regarding the above clearly and honestly whenever you wish.

Also, I invite you to my Alianza community--along with several priests we get together once a week for worship and to listen to the Lord.

Finally, it comes from my heart to invite you with all respect to be fully docile and faithful to the Spirit of the Lord and that he grants you discernment regarding the wonderful work that

the Lord is carrying on in midst of the simple people.

I state once again my desire to be entirely faithful to the Lord and His Church today, and until the end of my days. May the Lord fill your entire being with holiness and justice and may the Spirit fill you with His own spirit.

In Christ the Priest,
S/

J. I. Ugarte
This letter is personal and confidential

194741

COPY

ENGLISH TRANSLATION

Cover Note

September 19, 1994

Tomorrow I leave for Spain, urgently, because of my mother's difficult situation--she has cancer.

I will inform you of my return as soon as possible after arriving.

194733

9-19-1994

NOTA: Mañana salgo para España, de emergencia, por la situación grave de mi madre, enferma de cáncer.

Informaré sobre mi regreso tan pronto como venga de vuelta

A handwritten signature in black ink, consisting of a large, rounded initial 'O' followed by a stylized, cursive 'M'.

194978

Septiembre 19, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

Estimado Cardenal Mahony,

Hoy y siempre pido al Señor que su presencia y su paz aniden en todo su ser.

Recuperándome aún lentamente de una larga enfermedad pulmonar, me animo a enviarle unas líneas para informarle de tres asuntos que nos conciernen.

No pretendo en modo alguno ni juzgarle ni, menos, ser maleducado con Usted. Ni siquiera pretendo justificarme pues acepto tanto la responsabilidad de mis actos como sus consencuencias. Tan solo intento informar y clarificar ciertas situaciones con la mayor honestidad y compasión posibles.

En primer lugar, quiero aludir a mi visita con Usted el 30 de Junio pasado. Esperaba ver en Usted un pastor cuidadoso, un padre comprensivo o, mejor, un 'Jesús' compasivo.

Decepcionado, percibí en Usted un ser sin entrañas que ni siquiera me preguntó cómo estaba, qué necesitaba, cómo me iba. ¡Qué tristeza!. Yo creo que esto apena grandemente el corazón del Señor.

Un día quiso el Señor encumbrarle a Usted para que amara a todos los suyos con pasión de corazón. El Señor nos ha dicho proféticamente que Usted se olvidó de su Nombre y prefirió refugiarse en el poder. Eso no da vida ni a uno mismo ni al pueblo de Dios.

Yo no le juzgo, como dije anteriormente, tan solo repito con dolor lo que el Señor nos ha manifestado de Usted.

Queriendo ser breve, paso al segundo punto. Al final de nuestra entrevista el mismo día 30 de Junio, yo le supliqué que me concediera cinco minutos para hablarle de algo delicado. Usted me negó esos minutos y me sentí muy mal.

Quería anunciarle lo siguiente. El pasado mes de Marzo, en sus correspondientes Misas Dominicales, el Sr. Párroco de la Iglesia de Resurrección mencionó públicamente mi nombre acusándome de "haber abusado de 'children' ".

Al enterarse de ello, mis abogados se enfurecieron. Consideramos que ese proceder por parte del Sr. Párroco mencionado es inadmisiblemente ético, moral y profesionalmente. Asimismo consideramos que si la difamación grave de mi nombre fué pública, también la reparación debe ser pública.

194979

Por ello, se está preparando una demanda civil ante la Corte por una suma mínima de \$23 millones. Yo nunca deseé llegar a este extremo, pero si las circunstancias así lo requieren, tendré que hacerlo.

Si lo dicho anteriormente es serio, lo que diré a continuación es más pues se lo digo en Nombre del Señor. En un futuro, si Dios quiere, le hablaré más detenidamente de ello, si ese es su deseo.

Con honestidad, y el Señor es testigo de ello, nunca he deseado el poder ni el dinero. Anhele simplemente vivir podre y sencillamente, buscando hacer siempre la voluntad del Padre.

Desde años atrás, el Señor ha venido formándonos, orientándonos y hablandonos proféticamente con gran poder.

Y puedo decirle, ya sin temor a equivocarme, que el Señor tiene un plan salvífico especial centrado en la Iglesia de la Presentación. Esto se lo garantizo en Nombre del Señor.

Yo se que no soy gran cosa. Pero el Señor ha puesto sus ojos en Mí para ser parte de ese plan suyo. El Señor elige lo más bajo e inútil para que se manifieste su poder y su gracia. Lo ha hecho en el pasado y continúa haciéndolo hoy. La piedra que desechan los constructores se convierte en piedra angular del edificio del Señor.

Yo podría muy bien ir a mi tierra y ser muy feliz allí. Humanamente sería lo más adecuado. Pero estoy totalmente convencido de que el Señor me llama para este plan salvífico suyo, en estos tiempos nuevos, tiempos de Espíritu, y me quedaré aquí para que el Señor me use como y cuando El quiera.

Por eso, yo se digo a Usted que lo que se esta haciendo con la comunidad de Presentación es una auténtica barbaridad ante los ojos del Señor y ciertamente vergonzoso ante los ojos de los hombres.

¡Usted no se imagina siquiera con qué agrado el Señor ha visto a esa comunidad y cómo ha descansado en medio de ellos, pobres ciertamente, pero que le aman con todo el corazón!. Esa comunidad es el Gozo del Espíritu y pobres de aquellos que se atrevan a ir en contra del deseo del Señor!.

Yo estoy dispuesto a hablarle a Usted de todo lo anterior con toda claridad y honestidad cuando lo desee.

Asimismo le invito a estar con mi comunidad de Alianza y varios sacerdotes que nos reunimos una vez cada semana para alabar y escuchar al Señor.

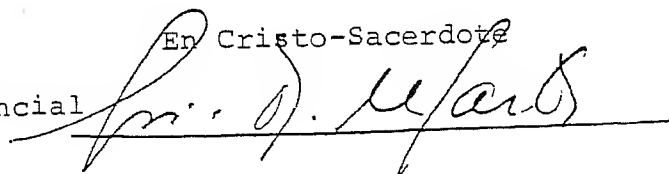
Finalmente, me sale del corazón invitarle con todo respeto a que sea plenamente dócil y fiel al Espíritu del Señor y se le conceda discernir la obra maravillosa que el Señor esta llevando a cabo en medio de los sencillos.

Le reitero una vez más mi deseo de ser plenamente fiel al Señor y a su Iglesia hoy y hasta el final de mis días. Que el Señor llene su ser entero de santidad y justicia y que el Espíritu aliente con poder su propio espíritu.

194980

En Cristo-Sacerdote

N.B.: Esta carta es personal y confidencial



ENGLISH TRANSLATIONCover Note

September 19, 1994

Tomorrow I leave for Spain, urgently, because of my mother's difficult situation--she has cancer.

I will inform you of my return as soon as possible after arriving.

194981

XXXIII 000566

September 19, 1994

His Eminence Roger Cardinal Mahony
1531 West Ninth ST
Los Angeles, CA 90015

Dear Cardinal Mahony:

Greetings, etc.

While still recovering, though slowly from a long pulmonary illness, I have decided to write you these lines to inform you regarding three matters that concern us.

I don't pretend in any way to judge you, least of all, behave in an uneducated manner toward you. I don't even pretend to justify myself as I accept both the responsibility for my acts as well as the consequences. My only intention is to inform and clarify certain situations with all the honesty and compassion possible.

In the first place, I want to refer to my visit with you on last June 30. I had hoped to meet with you as a careful pastor, an understanding father, or better, a merciful/tenderhearted "Jesus".

Deception: I perceived you to be someone without depth, you didn't even ask me how I was, what I needed, how I was getting along. How sad! I think this saddens Our Lord's heart greatly.

One day the Lord will raise you up so that you will love all your people with all the passion of your heart. The Lord, prophetically, has told us you have forgotten his name and prefer to seek refuge in power. This is not life-giving for ones self, nor for God's people.

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Desiring to be brief, I'll go on to the second point. At the end of our interview the same day, June 30, I asked you to give me 5 minutes to speak about something delicate. You denied me those minutes, and I felt bad.

I wish to announce the following: Last March, in your Sunday Masses, the Pastor of Resurrection Church mentioned my name publicly, accusing me of "having abused 'children'".

194982

XXXIII 000567

Upon learning of that, my lawyers became furious. We consider that procedure on the part of the aforementioned Pastor to unacceptable ethically, morally and professionally. We also believe that since my name has been seriously defamed publicly, then the reparation should also be public.

For that reason, a civil demand is being prepared through the courts--for a minimum figure of \$23 million. I never wanted to reach this extreme, but if the circumstances require it, it will have to be done.

If what has been said above is serious, what I will say next is more so, as I will say it in the name of the Lord. In the future, God willing, I will speak to you in great detail, if that is your wish.

With all honesty, and God is witness to it, I have never been desirous of power nor money. I just wanted to live poorly (sp.) and simply, looking always to do the will of the Father.

For many years, the Lord has been forming us, guiding us and speaking prophetically to us with great power.

I can tell you, without fear of being mistaken, that the Lord has a special plan of salvation centered around Presentation Church. I guarantee this in the Lord's name.

I know that I'm not so great. But the Lord has placed His eyes upon me to be a part of this plan of His. The Lord chooses the lowest and most useless to manifest His power and His grace. He has done it in the past and continues to do it today. The stone that is disregarded by the builders becomes the stone upon which God builds.

I could very easily return to my country and be useful there. Humanly speaking, it would be best. But I am totally convinced that the Lord has called me for this salvation plan of his, in these present times--times of the Spirit, and I will remain here so that the Lord can use me how and when He wants to.

That is why, I say to you that what is being done to the community at Presentation is an authentic abuse in God's eyes and certainly shameful before the eyes of men.

You cannot imagine how the Lord has looked with pleasure on this community and has rested in the midst of it, poor tho they be, but who love Him with all their hearts! This community is the joy of the Spirit and woe to those who dare to go against the Lord's wishes.

I am willing to speak with you regarding the above clearly and honestly whenever you wish.

Also, I invite you to my Alianza community--along with several priests we get together once a week for worship and to listen to the Lord.

Finally, it comes from my heart to invite you with all respect to be fully docile and faithful to the Spirit of the Lord and that he grants you discernment regarding the wonderful work that

the Lord is carrying on in midst of the simple people.

I state once again my desire to be entirely faithful to the Lord and His Church today, and until the end of my days. May the Lord fill your entire being with holiness and justice and may the Spirit fill you with His own spirit.

In Christ the Priest,
S/

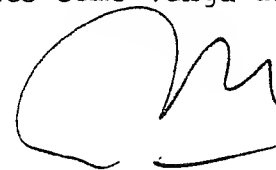
J. I. Ugarte
This letter is personal and confidential

194984

XXXIII 000569

9-19-1994

NOTA: Mañana salgo para España, de emergencia, por la situación grave de mi madre, enferma de cáncer.
Informaré sobre mi regreso tan pronto como venga de vuelta

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a horizontal stroke at the bottom.

194894

9-19-1994

NOTA: Mañana salgo para España, de emergencia, por la situación grave de mi madre, enferma de cáncer.

Informaré sobre mi regreso tan pronto como venga de vuelta.

A handwritten signature in black ink, consisting of a large, stylized 'O' followed by a series of loops and a horizontal line at the bottom.

COPY

ENGLISH TRANSLATION

Cover Note

September 19, 1994

Tomorrow I leave for Spain, urgently, because of my mother's difficult situation--she has cancer.

I will inform you of my return as soon as possible after arriving.

25346

XXXIII 000578

CONFIDENTIAL

COPY

Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-32881531
West Ninth
StreetLos Angeles
California
90015-1194

Los Angeles, California a 20 de septiembre de 1994.

Excmo. y Revmo. Sr. Obispo
José Ma. Larrauri Lafuente
Dgmo. Obispo de Vitoria
Obispado
Calle Fray Zacarías Martínez 2
01001 Vitoria, España

Excmo. y Revmo. Sr. Obispo Larrauri:

Reciba mis atentos saludos y mis mejores deseos por el bienestar de Su Excelencia.

El motivo de mi carta es para solicitar su ayuda para obtener información acerca del Padre José Ignacio Ugarte quien como seminarista cursó sus estudios en el Seminario de San Prudencio y San Ignacio hasta 1966. En 1969, fue admitido en nuestro seminario arquidiocesano de San Juan en Camarillo, California, y fue ordenado sacerdote e incardinado en esta Arquidiócesis en 1971.

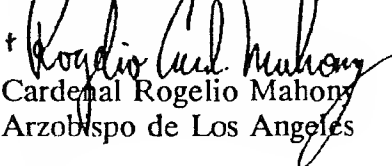
Anexo una copia de la carta del R.P. [REDACTED], antiguo Rector de nuestro Seminario de San Juan, la cual está dirigida a el Rector del susodicho Seminario y en la cual el P. [REDACTED] pide informes acerca de las circunstancias bajo las cuales este seminarista dejó el seminario. Sin embargo, el P. [REDACTED] nunca recibió contestación a su carta.

Ahora bien, como ya han transcurrido 25 años desde la fecha de la carta, y debido a que dicho Seminario estuvo o está bajo su jurisdicción, mucho le agradecería el que le hiciese llegar mi petición a el actual Rector.

De ya no existir el Seminario, su ayuda en obtener copias del registro del P. Ugarte o cualquier información que nos pudiera proporcionar sería de suma importancia para nosotros. La respuesta a nuestra petición sería guardada en la más estricta confidencia. Favor de enviar cualquier información a la dirección que aparece en este membrete.

Agradeciendo de antemano su atención y ayuda en este asunto, y asegurándole mis oraciones, quedo de usted

Sinceramente en Cristo,

† 
Cardenal Rogelio Mahony
Arzobispo de Los Angeles

Anexo

mf

25462

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO:

Regis Dyer

DATE:

9-7-94

- ☐ Please REVIEW, then SEE ME
☐ Please REVIEW, then RETURN to me
☐ Please REVIEW, then SEND me your COMMENTS
☐ Please REVIEW, then FILE
☒ Please HANDLE this matter ENTIRELY
☐ Please ANSWER: send copy of letter to me
☐ Please WRITE A REPLY for my signature
☐ For your INFORMATION
☐ Please XEROX - FAX and send copy/copies to:

Original to: ☐ file ☐ back to me ☐

REMARKS:

*I don't know who requested this -**Thanks!*

~~Handwritten text, possibly "I have"~~

When you get a chance
(Mon or Tues) would you
pls come see me about
this

Many thanks,

Joe Tim

CONFIDENTIAL

September 9, 1994

TO: Cardinal Mahony
FROM: Father Timothy Dyer (1)
RE: Attached re Fr. Ugarte

Following our meeting with Fr. Ugarte, you asked me to contact the Seminary for his records; there had been some mention about his possibly not being recommended by the Seminary in Spain from which he transferred to St. John's in 1969.

Fr. [REDACTED] has located an August 15, 1969 letter (yellow post-it) from Fr. [REDACTED] to the rector of the seminary in Spain. Apparently, there was never any reply. Fr. [REDACTED] inquired, following Ugarte's application for admission, "...whether he (Ugarte) was dismissed from your seminary or whether he left of his own free will." It would be helpful, in light of our current canonical process, to ask the seminary in Spain if their records reveal anything that would finally answer Fr. Danagher's letter. I believe, however, that it would take your signature to the present rector to get any "confidential" files unlocked.

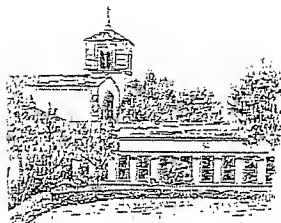
Would you, then, write such a letter or, if you prefer, give me instructions to draft one. I presume it would be translated into Spanish.

*at this late hour before my trip I
cannot do this - please proceed,*

+ RMM

9-9-94

194652



ST. JOHN'S SEMINARY

CONFIDENTIAL

SEMINARIO DE SAN JUAN • CHỦNG VIỆN THÁNH GIOAN • SEMINARYO NG SAN JUAN

September 6, 1994

OFFICE OF THE RECTOR/PRESIDENT

Cardinal Roger M. Mahony
 Archbishop of Los Angeles
 1531 West Ninth Street
 Los Angeles, California 90015

Dear Cardinal Mahony:

I have reviewed the file for Jose Ugarte and there is a letter signed by Father [REDACTED] to the Rector of the Seminary in Spain requesting a letter of recommendation. There is no record of any letter in the file from the Seminary in response to this request. I am enclosing a confidential faculty vote. The file contains all of the petitions for minor orders as well as major.

If there is anything else I can do for you, please let me know.

Sincerely yours in Christ,

[REDACTED]
 Rector/President

JMcC:amk

194653

Ugarte
may +
Minor Orders

27 November 1970

The Most Reverend Timothy Manning, D. D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Archbishop Manning:

Enclosed is the petition from JOSE IGNACIO UGARTE for promotion to First Tonsure and all of the Minor Orders.

With it are the petitions for the Major Orders of Subdiaconate and Diaconate.

Mr. Ugarte is the seminarian from Spain about whom I spoke with you at Camarillo a short time ago. He is in Fourth Theology, and at a recent faculty meeting was unanimously approved by the faculty for advancement to all of the above Orders. The vote by secret ballot was 10 favorable.

If Your Excellency sees fit to approve this recommendation, I shall appreciate your issuing the call to Orders for Mr. Ugarte. He is scheduled to receive Tonsure on December 7, and First Minor Orders at Mass the following morning. Your Excellency is scheduled to officiate for both ceremonies.

Because there is some division of opinion concerning the time of Mr. Ugarte's promotion to the Priesthood, I shall wait until you are at St. John's a week from now to discuss this with you. The written record can then be supplied for the permanent files.

With every best wish to Your Excellency, and commending the seminary to your prayers, I am

Respectfully yours in Christ,

Very Rev. ~~Timothy Manning, D.D.~~
Rector

Enclosures (3)

P. S. - The divided opinion concerning Mr. Ugarte concerns not his character, but only how long he should serve as a deacon.

194654

MEMORANDUM

DATE: September 26, 1994
TO: Cardinal Mahony
FROM: Monsignor Dyer
RE: Rev. Jose Ugarte

I believe you should read the attached from Fr. Ugarte. I have given it to our attorney and the Team I formed two months ago to study the cult-like movement begun at Presentation.

We have called in Mr. [REDACTED] President of SCRC who has served on a Los Angeles commission on cults.

I will keep you informed. - *Tharls!*

mk

+ *Rkh*

9-30-94

194737

XXXIII 000593

COPY

MEMORANDUM

DATE: September 26, 1994

TO: Father [REDACTED]
Office of Religious Education

FROM: Father Timothy J. Dyer
Vicar for Clergy

RE: Rev. Jose Ugarte

Attached is copy of recent letter from Father Jose Ugarte.

I would like you to share it with [REDACTED] before our October 13th meeting.

Many thanks.

194744

XXXIII 000595

9-19-1994

NOTA: Mañana salgo para España, de emergencia, por la situación grave de mi madre, enferma de cáncer.

Informaré sobre mi regreso tan pronto como venga de vuelta
REDACTED

194745

MEMORANDUM

DATE: September 26, 1994
TO: Cardinal Mahony
FROM: Monsignor Dyer
RE: Rev. Jose Ugarte

I believe you should read the attached from Fr. Ugarte. I have given it to our attorney and the Team I formed two months ago to study the cult-like movement begun at Presentation.

We have called in Mr. [REDACTED] President of SCRC who has served on a Los Angeles commission on cults.

I will keep you informed. - *Thanks!*

mk

+ *Rhk*

9-30-94

COPY

MEMORANDUM

DATE: September 26, 1994

TO: Father [REDACTED]
Office of Religious Education

FROM: Father Timothy J. Dyer
Vicar for Clergy

RE: Rev. Jose Ugarte

Attached is copy of recent letter from Father Jose Ugarte.

I would like you to share it with [REDACTED] before our October 13th meeting.

Many thanks.



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3784

1531
West Ninth
Street

Los Angeles
California
90015-1104

October 3, 1994

Rev. [REDACTED]
Diocese of Oakland
2900 Lakeshore Avenue
Oakland, CA 94610

Dear Father [REDACTED]

Attached is the last correspondence we have had from Fr. Ugarte.

We will copy you if and when a response is prepared.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

[REDACTED]

25351

El Obispo de Vitoria

Vitoria, 3 de octubre de 1994.

Emmo. Sr. CARDENAL ROGELIO MAHONY
Arzobispo de Los Angeles.

Eminencia:

Recibí su att. carta de 20 del ppdo. Septiembre que, gustoso, paso a contestar. Un servidor, aunque natural de esta ciudad de Vitoria, marchó, recién ordenado de Sacerdote, a otra Diócesis española, necesitada de personal para la pastoral. He estado ausente de aquí durante 30 años, al cabo de los cuales fuí designado por SS. Juan Pablo II, Obispo de Vitoria. Esta es la razón de que, acerca del asunto que V.E. me presenta, no tenga ningún conocimiento directo.

He pedido al Sr. Rector actual los informes que pudieran existir en el archivo, referentes al interesado, P. JOSE IGNACIO UGARTE. Me ha entregado las fichas que le adjunto a V.E., que se refieren a los primeros años de Seminario (Humanidades y Filosofía). Del ciclo teológico no existen datos en el citado archivo del Seminario.

He hecho alguna otra indagación a Prefectos de disciplina de aquella época y a algun compañero de curso y he obtenido estos dos breves informes.

El 1º es de Dn. Fernando Gonzalo-Bilbao, actual Vicario General de esta Diócesis que fué condiscípulo del interesado.

El 2º lo ha suscrito Dn. Saturnino Camarra-Mayor, actual decano de la Facultad de Teología del Norte de España, sede de Vitoria, que trató personalmente al P. J.I. Ugarte. Trasmite los datos que recuerda.

De estos informes parece ser que el interesado fué invitado a abandonar este Seminario de Vitoria. Lamento que, en su día, no fuera contestada la carta del P. [redacted] porque ella hubiera podido dar mayor luz. Ignoro la razón de este silencio.

Aprovecho la ocasión para enviarle mi más cordial y respetuoso saludo.

En Xto.

+ *[Signature]*
Obispo de Vitoria

English Translation

Vitoria, October 3, 1994

His Eminence CARDINAL ROGER MAHONY
Archbishop of Los Angeles

Your Eminence:

It is with delight that I acknowledge your letter of September 20, 1994. A servant, although born in Vitoria City, left as a recently ordained priest to another Spanish Diocese which was in need of pastoral staff. I have been away from here for thirty years, at the end of which I was appointed Bishop of Vitoria by His Holiness, Pope John Paul II. That is why I have no direct knowledge about the matter which you present to me.

I have asked the present Rector about any information which might be still on file with respect to the interested party, Father José Ignacio Ugarte. He has given to me the enclosed records which cover the first years in the Seminary (Humanities and Theology.) There are no records in the aforementioned Seminary about the theological term.

I have made some other investigations with Prefects in charge of discipline from that time as well as a classmate, and I have obtained these two brief items of information.

The first one is from Monsignor Fernando Gonzalo-Bilbao, present Vicar General of this Diocese, who was a classmate of the interested party.

The second one has been submitted by Father Saturnino Gamarra-Mayor, present Dean of the Theology of Northern Spain, See of Vitoria, who dealt personally with Fr. J.I. Ugarte. He transmits the facts which he remembers.

From these facts, it seems like the interested party was asked to leave the Seminary of Vitoria. I regret that back then Father [REDACTED] did not receive a response to his letter because it could have shed some light. I ignore the reason for this silence.

This letter affords me the opportunity of sending to you my most cordial and respectful greeting.

In Christ,

José Ma. Larrauri Lafuente
Bishop of Vitoria

mf

25118

Ugarte, José Ignacio

2nd Year (1955)

1. - Family History: son of a farmer; two brothers
 2. - Economic position: modest
 3. - Health: very good; strong
 4. - Behavior: good, but not outstanding
 5. - Urbanity: Good
 6. - Effort: Good
 7. - Talent: Good
 8. - Character: Reserved; suspicious
 9. - Social behavior: Solitary
-

Third Year (1956)

1. - Family History: Son of a farmer - two brothers
2. - Economic status: modest
3. - Health: good, strong
4. - Behavior: Uneven
5. - Urbanity: Cautious
6. - Effort: Good
7. - Talent: Good
8. - Character: Reserved; quiet; a bit conceited
9. - Social Behavior: Solitary

Fourth Year, Humanities (1957)

3. - Health: Husky
4. - Talent: Capable - willing
5. - Behavior: Satisfactory
6. - Effort: Even
7. - Urbanity: very careful, organized and tidy
8. - Docility: deferential - affectionate
9. - Social behavior: A good companion
10. - Character: Very emotional - timid - (?)

OBSERVATIONS: He has become serious

5th Year (1958)

3. - Health: Strong
4. - Talent: Very good
5. - Behavior: Good
6. - Effort: Very good
7. - Urbanity: same as previous years
8. - Docility: same as previous years
9. - Social Behavior: Open, affable, noble
10. - Character: Sentimental - timid - certain

OBSERVATIONS: He is a big baby - loving; he has put a lot of effort.

Sixth Year, Humanities (1959)

- 3. - Health: Husky
- 4. - Talent: Very good
- 5. - Behavior: same as previous years
- 6. - Effort: same as previous years
- 7. - Urbanity: same as previous years
- 8. - Docility: same as previous years
- 10. - Character: Sentimental - certain - affective

OBSERVATIONS: He is a bit childish. He is becoming a man. Very noble -- mood swings; a bit passionate - devout - docile - A bit pampered? He must (?) his heart.

7th Year (1960)

- 3. - Health: Husky
- 4. - Talent: Very good
- 5. - Behavior: Good
- 6. - Effort: Very good
- 7. - Urbanity: same as previous years
- 8. - Docility: same as previous years
- 9. - Social behavior: same as previous years
- 10. - Character: (?) - passionate

OBSERVATIONS: Very emotional - he pays attention - a hard worker, very devout = Resentment is still very much within him which make his ideas lack steadiness. Very easy to convince. Moody, worrisome, impulsive, fear, discouragement ----he has to learn to control these emotions and to be more reflective than sentimental. He was given a stern warning about a persistent and particular friendship with one of his classmates.

2nd Year, Philosophy (1961)

OBSERVATIONS: Refer to his behavior in previous years. His problem with his passive behavior and emotional balance has been very seriously stated to him. He is very sensitive to his superiors' esteem. He yields and obeys when he thinks he counts with their esteem. He has worked hard on establishing this. He is very loyal. He is very responsible when he is asked to do something. He has demonstrated great willingness and appreciates his vocation. He will need to keep on being careful about his temper: pursuing a great ideal, but being practical about obstacles. He seems to have conquered his "emotional leaning" of previous years towards some of his classmates. Was the problem solved?

He is docile even when he recognizes that he has disobeyed. Good friend; active -- devout -

1st Year, Philosophy (1962)

1. - Refer to previous records from 2nd and 3rd years
3. - Health: Very good
4. - Talent: Very good
5. - Behavior: Good
6. - Effort: Very good
7. - Urbanity: Very good, very tidy
8. - Docility: Good
9. - Social behavior: Very good
10. - Character: refer to previous years

OBSERVATIONS: He is very active and emotional. He takes everything too aggressively. He rushes into things, and sometimes he is hasty. A little bit unbalanced. He gets carried away by his feelings. He is self-confident. He has a very difficult time with the discipline at the seminary. He evades it.

Rev. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

October 4, 1994

Rev. [REDACTED]
Office of the Archdiocesan Tribunal
Archdiocese of Los Angeles
933 South Grattan Street
Los Angeles, California 90015-1100

Dear Msgr. [REDACTED]

I am in receipt of your letter in which you enclosed the Cardinal's appointment of me as the advocate for Father Jose I. Ugarte. Enclosed is a copy of my letter of this date to Father Ugarte.

I will no doubt see you at the CLSA convention next week.

Fraternally,

[REDACTED]

195059

XXXIII 000606

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

October 4, 1994

Rev. Jose I. Ugarte

[REDACTED]
 [REDACTED]
 [REDACTED]

Dear Father Ugarte:

As you know, Cardinal Mahony, your diocesan bishop, has appointed me your advocate regarding some very serious allegations against you. This appointment is made in accord with the norm of canon law and is done precisely for the purpose of making certain that your rights are properly protected and vigorously vindicated. The Cardinal has also sent me the appropriate proofs that have been gathered in the case. I strongly urge you to contact me as soon as possible. As you know a hearing is scheduled for October 27, 1994 at 10:00 am in the chancery. Failure to respond to this summons and failure to appear at this hearing could bring dire consequences to you, including declaration of the penalty of excommunication. In view of the serious nature of these allegations, I very much need to speak with you so that I may understand your version of the events. Please contact me so that we may prepare an adequate defense and I may be of any assistance I can to you.

I should add that, if you would like someone else to assist you, you should contact both me and the archdiocese as soon as possible. Of course, I would be happy to assist you in any way I can.

Faternally,

S

[REDACTED]

195060

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

October 4, 1994

[REDACTED]
 Office of the Archdiocesan Tribunal
 Archdiocese of Los Angeles
 933 South Grattan Street
 Los Angeles, California 90015-1100

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Fraternally,

[REDACTED]
 [REDACTED]

194901

XXXIII 000608

CONFERENCIA DEL EPISCOPADO MEXICANO
SECRETARIADO GENERAL

México, D.F., 5 de octubre de 1994

SEGE 358/94

Emmo. Sr. Cardenal
ROGER MAHONY
Arzobispo de Los Angeles
1531 West Ninth St.
Los Angeles California
90015-1194

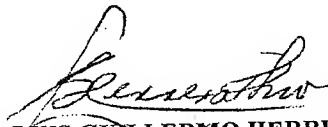
Eminentísimo Señor Cardenal:

Me refiero a su atenta carta del 21 de septiembre de 1994, recibida anteriormente por fax.

De acuerdo con S. E. Mons. Ramón Godínez Flores, Secretario General de la Conferencia del Episcopado Mexicano, se ha dado a conocer a todos los Obispos de México, la situación irregular de los sacerdotes José Ugarte, [REDACTED] Con la recomendación de recurrir a Su Eminencia o a Mons. Timothy J. Dyer para cualquier aclaración.

Aprovecho para saludar a Su Eminencia, con sentimientos de estima en el Señor Jesús.

Su servidor


PBRO. LUIS GUILLERMO HERRERA H.
Secretario Ejecutivo de la CEM

25115



MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Timothy Dyer

FROM: Monsignor [REDACTED]

RE: Reverend Jose I. Ugarte

DATE: 25 October 1994

In preparation for the hearing on Thursday morning at 10:00 a.m., I wanted to sketch some reflections.

Father [REDACTED] accepted appointment as Father Ugarte's advocate. As of the writing of this memo, Father Ugarte has not contacted Father [REDACTED]. Father [REDACTED] has attempted to reach Father Ugarte, so far without success. We will phone Father [REDACTED] during the hearing so he can be involved appropriately.

If Father Ugarte Does Not Appear

1. Father Ugarte would be declared absent and the process ordered to proceed in accord with canon 1592. I will prepare the appropriate decree. Could [REDACTED] or [REDACTED] please provide the receipt for the September 8, 1994, letter to Father Ugarte citing him to this hearing?
2. The sole issue for this hearing is the question of the attempted absolution of [REDACTED].
3. The evidence that Father Ugarte attempted such an absolution will need to be discussed. This includes the testimony of [REDACTED] as well as the memos of Father Ugarte's reaction when confronted with this charge.
4. The questions which must be answered are:
 - a. Is there certainty that there was an attempt by Reverend Ugarte to absolve Mr. [REDACTED] that violated canon 1378?
 - b. If there was such an external violation, was the offense "seriously imputable" (canon 1321)?

195087



MEMORANDUM

*Memo to Cardinal Mahony and Monsignor Dyer
Concerning Reverend Jose Ugarte
October 25, 1994
Page 2*

- c. If there was a violation and it was seriously imputable, the excommunication would have been incurred automatically. There remains the question whether the formal declaration of the penalty is truly needed (last resort) as envisioned by canon 1341.
5. Before actually declaring the penalty, the Cardinal will need to discuss the matter with both assessors.
6. If it is determined that the penalty was incurred and should be declared, a decree of declaration would be issued. Part of the discussion at the hearing needs to concern the extent of the publicity of the decree. At the very least, it should be made known to the diocesan bishop where Father Ugarte presently is domiciled and to the pastor of the parish where he lives. There may be need for it to be made more widely known. The letter forwarding the decree to Father Ugarte should explain the extent of publication, and the sorts of activities on Father Ugarte's part that could lead to a more extended publicity.
7. The matter should then be forwarded to Rome.

If Father Ugarte Does Appear

This seems highly unlikely, although we should be prepared for it if it comes to pass.

1. Father Ugarte must be given the opportunity to respond to the charges formally.
2. He cannot be compelled to take an oath (canon 1728, 2), although he is free to request the opportunity of testifying under oath.
3. If Father Ugarte wishes to speak with his advocate in a private phone conversation, we would need to make that opportunity available.
4. The same questions listed above need to be addressed.
5. Other issues could be discussed with Father Ugarte as seemed appropriate, although those would not be part of the hearing proper.

195088

October 27, 1994 -
10 00

MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Timothy Dyer

FROM: Monsignor [REDACTED]

RE: Reverend Jose I. Ugarte

DATE: 25 October 1994

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194731

*Foot of Violits
Dyer*



MEMORANDUM

*Memo to Cardinal Mahony and Monsignor Dyer
Concerning Reverend Jose Ugarte
October 25, 1994
Page 2*

- c. If there was a violation and it was seriously imputable, the excommunication would have been incurred automatically. There remains the question whether the formal declaration of the penalty is truly needed (last resort) as envisioned by canon 1341.
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5. Other issues could be discussed with Father Ugarte as seemed appropriate, although those would not be part of the hearing proper.

194732



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-3288

1531
West Ninth
Street

Los Angeles
California
90015-1194

In Causa: Reverend Jose I. Ugarte

DECREE

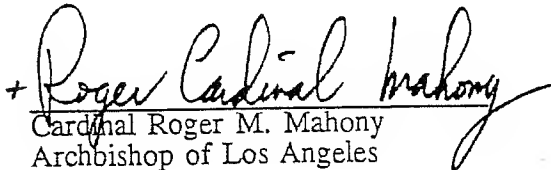
In a letter dated September 8, 1994, Reverend Jose I. Ugarte was formally cited to appear at a hearing that would consider the question of the declaration of the censure of the *latae sententiae* excommunication for violation of canon 1378.

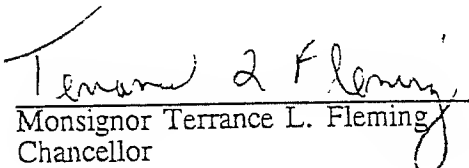
In accord with the requirements of canon 1509, that citation was sent by registered mail, return receipt requested. There is proof that the citation was legitimately communicated.

Father Ugarte failed to respond to this citation. Furthermore, he failed to provide any legitimate cause for failing to appear, or to request another date and time for his appearance.

Therefore, in accord with canon 1592, Reverend Jose I. Ugarte is hereby declared absent from this hearing. I further decree that the process is to proceed.

Given at the Curia of the Archdiocese of Los Angeles on this 27th day of October in the Year of Our Lord 1994.

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

194987

**Summary of the Hearing Concerning the Possible Declaration
of a Penalty on Reverend Jose I. Ugarte**

The hearing was held Thursday morning, October 27, 1994, in the Cardinal's office at the Chancery of the Archdiocese of Los Angeles.

A. Present at the meeting were:

Cardinal Roger M. Mahony
Monsignor Timothy J. Dyer, Vicar for Clergy
Monsignor [REDACTED] Canonical Advisor to the Cardinal

Reverend [REDACTED] an advocate for Father Ugarte appointed by Cardinal Mahony in accord with canon 1723, §2, participated in the hearing by telephone. Previously, Father [REDACTED] had been provided authentic copies of all the proofs and procedural acts relevant to the matter at issue.

- B. Evidence was presented that Reverend Jose I. Ugarte was legitimately cited. Reverend Ugarte signed a Certified Mail receipt for the letter of citation on November 11, 1994.
- C. Reverend Ugarte was not present for the hearing. There was a discussion concerning whether he was legitimately absent. Reverend Ugarte did write to Cardinal Mahony on September 19, 1994. That letter made no reference to the citation, which he had previously received. There was a "cover note" attached to the letter stating that Father Ugarte was leaving for Spain because of an illness of his mother. He made no request, however, that the hearing be rescheduled. Nor did he inform the Cardinal when he would be returning. After discussing the matter, it was determined that Reverend Ugarte was not legitimately absent. Had he requested a delay of the hearing for the purposes of visiting her mother in her illness, such a delay would have been granted. By making no request and ignoring the citation entirely, it was determined that Reverend Ugarte had not presented a suitable excuse. The Cardinal decreed him absent from the hearing and ordered the process to proceed.
- D. The next issue considered whether Reverend Jose I. Ugarte had indeed attempted to absolve Mr. [REDACTED] in violation of canon 1378. Father [REDACTED] asked that a portion of Mr. [REDACTED] testimony be read. Items 19-24 were read aloud. Having heard the testimony, Father [REDACTED] noted that while the action did not take place in a confessional, the testimony of Mr. [REDACTED] indicated he was convinced Father Ugarte was giving him sacramental absolution. Father [REDACTED] raised no other questions on this matter. There was a consensus that Reverend Ugarte had committed an external and serious violation of the law.
- E. The hearing moved to the question of whether this violation was "seriously imputable" (canon 1321). It was noted that imputability is presumed whenever an external violation occurs unless it is otherwise evident (canon 1321, §3).
1. Father [REDACTED] argued that the psychological report indicated that Reverend Ugarte suffers from some serious disabilities, has a pattern of narcissistic behavior, and that this pattern of behavior should be seen to mitigate the imputability. Father [REDACTED] further noted that even Reverend Ugarte's absence from this hearing is an indication of a pattern of ignoring those

Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 2

aspects of reality which do not fit into his conceptions. Father [REDACTED] also noted that the file contains evidence of habitual behaviors which can indicate diminished freedom.

2. Monsignor [REDACTED] argued that Reverend Ugarte is a very intelligent man, and that the obligation not to abuse the Sacrament of Penance is extremely serious and well known. He further argued that while the report of the experts indicates that Father Ugarte suffers from some psychological compulsions, that nothing in the report indicates he is not aware of reality or his obligations as a priest. Perhaps an argument for diminished imputability could be made if the issue in this hearing was the sexual behaviors prohibited by canon 1395. But the behavior at issue is something apart from any sexual compulsion; it is the abuse of the Sacrament of Penance. Full imputability is not required to incur a penalty; the violation must be "seriously" imputable. The repeated occurrence of the behavior also serves to aggravate the offense. Monsignor [REDACTED] indicated that there simply was no evidence to overturn the presumption that Reverend Ugarte was imputable.
 3. Cardinal Mahony commented that he was troubled by any line of argument that would suggest a person is not imputable simply because there is some sort of psychological problem. Otherwise, penal law would be totally useless. The Cardinal indicated that he would need evidence that Reverend Ugarte truly did not understand what he was doing and did not find such evidence in the acts.
 4. Father [REDACTED] indicated that he understood the arguments which would find Reverend Ugarte seriously imputable. In the absence of Reverend Ugarte's participation, he could not raise any further argument. Father [REDACTED] indicated that, should the Cardinal declare a penalty and Reverend Ugarte choose to appeal any declaration, such an appeal would probably center on this question of imputability.
- F. A brief discussion ensued on whether, if the Cardinal were to reach moral certitude that a seriously imputable violation had taken place, it was pastorally necessary to declare a penalty in the situation (canon 1341). Reverend Ugarte has continued activities detrimental to the Church and which have created difficulties in a number of parishes. Reverend Ugarte has not been open to dealing with those abuses. Given these and other factors, it was clear that declaring the penalty would indeed be a last resort.
- G. The Cardinal indicated that he would bring these questions to the two assessors before rendering a decision. As a final issue, there was a brief discussion on the means of publication should the Cardinal decide to declare the penalty. The decree would be sent to Reverend Ugarte by Certified Mail. His advocate would receive a copy. The Bishop of the Diocese of San Bernardino and the pastor of the parish where Reverend Ugarte is presently domiciled would need to be informed. Otherwise, to avoid any unnecessary damage to Reverend Ugarte's reputation, the decree would not be published more widely. Father Ugarte would be informed,

Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 3

however, that should it become evident he was continuing in activities that violate the excommunication or should he continue to mislead people and cause additional problems in his former parishes, that the fact of the excommunication would have to be made more widely known.

- H. It was agreed as well that, should an excommunication be declared, that the entire matter would be referred to the Congregation for the Doctrine of the Faith, which has competence in these matters.

These notes were taken by Monsignor [REDACTED], reviewed, corrected and mutually agreed upon as accurate by Cardinal Mahony, Monsignor Dyer and Father [REDACTED]

[REDACTED]



Archdiocese of Los Angeles

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In Causa: Reverend Jose I. Ugarte

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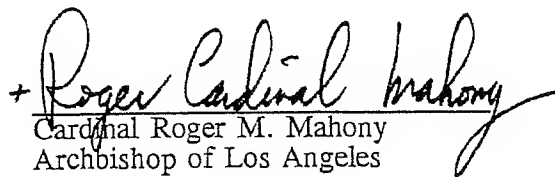
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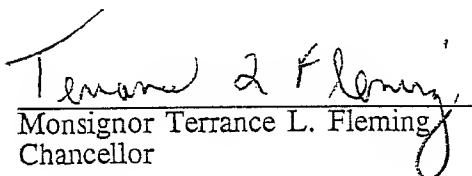
In accord with the requirements of canon 1509, that citation was sent by registered mail, return receipt requested. There is proof that the citation was legitimately communicated.

Father Ugarte failed to respond to this citation. Furthermore, he failed to provide any legitimate cause for failing to appear, or to request another date and time for his appearance.

Therefore, in accord with canon 1592, Reverend Jose I. Ugarte is hereby declared absent from this hearing. I further decree that the process is to proceed.

Given at the Curia of the Archdiocese of Los Angeles on this 27th day of October in the Year of Our Lord 1994.


Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrance L. Fleming
Chancellor

Archdiocesan Seal

194903



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-3288

1531
West Ninth
Street

Los Angeles
California
90015-1194

CONFIDENTIAL

October 28, 1994

TO: [REDACTED]

FROM: Cardinal Roger Mahony
Archbishop of Los Angeles

+ Roger Cardinal Mahony

SUBJECT: Reverend Jose I. Ugarte

You are the two canonical assessors in the ongoing canonical process with the Reverend Jose I. Ugarte.

Father Ugarte had been ordered to appear in my office on Thursday, October 27, 1994 at 10:00 AM for a hearing on the canonical charges against him.

The sole issue for the hearing was the question of the attempted sacramental absolution of Mr. [REDACTED]. Father Jose Ugarte did not come to the hearing, he did not send any written or oral notification of reasons he could not be present, nor did he advise his canonical advocate, Father [REDACTED] of his inability to be present.

Consequently, I have declared Father Jose I. Ugarte to be absent, and the canonical process to proceed in accord with canon 1592.

I am sending to you the file information on the case of Father Jose Ugarte, and I would ask you to review this file completely.

Once you have completed your review, I would then welcome from you a very brief memo in which you would advise me of these two issues in his case:

1. Is there certainty that there was an attempt by Father Ugarte to absolve [REDACTED] that violated Canon 1378?
2. If there was such an external violation, was the offense "seriously imputable" (canon 1321)?

194907

CONFIDENTIAL

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From my own review of the case and after discussions with Father [REDACTED] it is my conclusion that both questions should be responded to in the affirmative.

I would now welcome your own review of the case, together with your own affirmation of the same two questions, should that be your conclusion as one of my canonical assessors.

May I please ask that you return all of these materials to me in a confidential envelope together with your brief covering memorandum, duly signed.

Thank you very much for your assistance with this difficult case.

[REDACTED]

194908

ST. BEDE THE VENERABLE

215 FOOTHILL BOULEVARD, P.O. BOX 809, LA CANADA, CALIFORNIA 91011-0809, (818) 790-5155

November 3rd, 1994.

To: Cardinal Roger Mahony
Archbishop of Los Angeles

From: [REDACTED]

Subject: Reverend Jose I. Ugarte.

As per your request, I have reviewed this file completely and I am ready to advise you on two issues in the case.

1. Is there certainty that there was an attempt by Fr. Ugarte to absolve Mr. [REDACTED] that violated Canon 1378?

Canon 18 directs that laws which establish a penalty are subject to a strict interpretation. For purposes of the case before us, to law envisions the absolution of an accomplice within the context of the celebration of the Sacrament of Reconciliation of an individual in ordinary circumstances as described in the liturgical books.

The evidence does not demonstrate that Mr. [REDACTED] approached Fr. Ugarte in ordine ad Sacramentum. Fr. Ugarte does not admit to intending to celebrate the Sacrament.

While the word "absolution" does arise in the evidence with respect to Fr. Ugarte's actions following some of the illicit episodes, from a legal perspective, I would have to conclude that there is not certainty that Fr. Ugarte acted against the provisions of Canon 977, and therefore is not subject to the penalty of Canon 1378.

2. If there was such an external violation, was the offence "seriously imputable" (C.1321)?

If one agrees that there was an external violation, the presumption of Canon 1321 #3. would prevail, and the offence would be seriously imputable.

November 3, 1994

[REDACTED]

194909



Archdiocese of Los Angeles

Office of the
Regional Bishop
(818) 960-9344

San Gabriel
Pastoral
Region

16009
East Cypress
Avenue

Inwindale
California
91706

November 29, 1994

CONFIDENTIAL

TO: Cardinal Roger Mahony

FROM: [REDACTED]

SUBJECT: Reverend Jose I Ugarte

I have reviewed the entire file in reference Father Jose Ugarte's attempted sacramental absolution of an accomplice in a sin against the sixth commandment of the decalogue.

As you mention in your memo, the two issues at hand are:

1. Is there certainty that there was an attempt by Father Ugarte to absolve Mr. [REDACTED] that violated Canon 1378?
2. If there was such an external violation, was the offense "seriously imputable" (Canon 1321)?

In my judgement, it is evident that certainly Father Ugarte did attempt to absolve Mr. [REDACTED] in violation of Canon 1378. It was indeed notable that according to Monsignor Timothy Dyer's notes, when confronted with the facts Father Ugarte did not readily deny that he had absolved Mr. [REDACTED] nor show remorse for his actions.

I am also of the opinion that this offense was seriously imputable. In the case of an external violation, serious imputability is to be presumed. The facts also point to culpable negligence, if not deliberate intent. This in itself would make the offense seriously imputable. As I understand the law, The burden would be on Father Ugarte to demonstrate that imputability is not verified in this case. He has not done this.

I also know Mr. [REDACTED] quite well. He is a forthright and honest man.

In light of the above, I respond in the AFFIRMATIVE to the two stated questions.

194910



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-3288

1531
West Ninth
Street

Los Angeles
California
90015-1194

CONFIDENTIAL

October 28, 1994

TO: [REDACTED]
[REDACTED]

FROM: Cardinal Roger Mahony
Archbishop of Los Angeles

SUBJECT: Reverend Jose I. Ugarte

+ *Roger Cardinal Mahony*

You are the two canonical assessors in the ongoing canonical process with the Reverend Jose I. Ugarte.

Father Ugarte had been ordered to appear in my office on Thursday, October 27, 1994 at 10:00 AM for a hearing on the canonical charges against him.

The sole issue for the hearing was the question of the attempted sacramental absolution of Mr. [REDACTED]. Father Jose Ugarte did not come to the hearing, he did not send any written or oral notification of reasons he could not be present, nor did he advise his canonical advocate, Father [REDACTED] of his inability to be present.

Consequently, I have declared Father Jose I. Ugarte to be absent, and the canonical process to proceed in accord with canon 1592.

I am sending to you the file information on the case of Father Jose Ugarte, and I would ask you to review this file completely.

Once you have completed your review, I would then welcome from you a very brief memo in which you would advise me of these two issues in his case:

1. Is there certainty that there was an attempt by Father Ugarte to absolve Mr. [REDACTED] that violated Canon 1378?
2. If there was such an external violation, was the offense "seriously imputable" (canon 1321)?

194991

CONFIDENTIAL

2

From my own review of the case and after discussions with Father [REDACTED] it is my conclusion that both questions should be responded to in the affirmative.

I would now welcome your own review of the case, together with your own affirmation of the same two questions, should that be your conclusion as one of my canonical assessors.

May I please ask that you return all of these materials to me in a confidential envelope together with your brief covering memorandum, duly signed.

Thank you very much for your assistance with this difficult case.

eb

194992

XXXIII 000634

ST. BEDE THE VENERABLE

215 FOOTHILL BOULEVARD, P.O. BOX 809, LA CANADA, CALIFORNIA 91011-0809, (818) 790-5155

November 3rd, 1994.

To: Cardinal Roger Mahony
Archbishop of Los Angeles

From: [REDACTED]

Subject: Reverend Jose I. Ugarte.

As per your request, I have reviewed this file completely and I am ready to advise you on two issues in the case.

1. Is there certainty that there was an attempt by Fr. Ugarte to absolve Mr. [REDACTED] that violated Canon 1378?

Canon 18 directs that laws which establish a penalty are subject to a strict interpretation. For purposes of the case before us, to law envisions the absolution of an accomplice within the context of the celebration of the Sacrament of Reconciliation of an individual in ordinary circumstances as described in the liturgical books.

The evidence does not demonstrate that Mr. [REDACTED] approached Fr. Ugarte in ordine ad Sacramentum. Fr. Ugarte does not admit to intending to celebrate the Sacrament.

While the word "absolution" does arise in the evidence with respect to Fr. Ugarte's actions following some of the illicit episodes, from a legal perspective, I would have to conclude that there is not certainty that Fr. Ugarte acted against the provisions of Canon 977, and therefore is not subject to the penalty of Canon 1378.

2. If there was such an external violation, was the offence "seriously imputable" (C.1321)?

If one agrees that there was an external violation, the presumption of Canon 1321 #3. would prevail, and the offence would be seriously imputable.

November 3, 1994

[REDACTED]

194993



Archdiocese of Los Angeles

Office of the
Regional Bishop
(818) 960-9344

San Gabriel
Pastoral
Region

16009
East Cypress
Avenue

Inwindale
California
91706

November 29, 1994

CONFIDENTIAL

TO: Cardinal Roger Mahony

FROM: [REDACTED]

SUBJECT: Reverend Jose I Ugarte

I have reviewed the entire file in reference Father Jose Ugarte's attempted sacramental absolution of an accomplice in a sin against the sixth commandment of the decalogue.

As you mention in your memo, the two issues at hand are:

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In my judgement, it is evident that certainly Father Ugarte did attempt to absolve Mr. [REDACTED] in violation of Canon 1378. It was indeed notable that according to Monsignor Timothy Dyer's notes, when confronted with the facts Father Ugarte did not readily deny that he had absolved Mr. [REDACTED] nor show remorse for his actions.

I am also of the opinion that this offense was seriously imputable. In the case of an external violation, serious imputability is to be presumed. The facts also point to culpable negligence, if not deliberate intent. This in itself would make the offense seriously imputable. As I understand the law, The burden would be on Father Ugarte to demonstrate that imputability is not verified in this case. He has not done this.

I also know Mr. [REDACTED] quite well. He is a forthright and honest man.

In light of the above, I respond in the AFFIRMATIVE to the two stated questions:

194994



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-32881531
West Ninth
StreetLos Angeles
California
90015-1194**CONFIDENTIAL**

October 28, 1994

TO:

[REDACTED]
[REDACTED]

FROM:

Cardinal Roger Mahony
Archbishop of Los Angeles

SUBJECT:

Reverend Jose I. Ugarte

+ Roger Cardinal Mahony

You are the two canonical assessors in the ongoing canonical process with the Reverend Jose I. Ugarte.

Father Ugarte had been ordered to appear in my office on Thursday, October 27, 1994 at 10:00 AM for a hearing on the canonical charges against him.

The sole issue for the hearing was the question of the attempted sacramental absolution of Mr. [REDACTED]. Father Jose Ugarte did not come to the hearing, he did not send any written or oral notification of reasons he could not be present, nor did he advise his canonical advocate, Father [REDACTED], of his inability to be present.

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2. If there was such an external violation, was the offense "seriously imputable" (canon 1321)?

194729

CONFIDENTIAL

2

From my own review of the case and after discussions with Father [REDACTED], it is my conclusion that both questions should be responded to in the affirmative.

I would now welcome your own review of the case, together with your own affirmation of the same two questions, should that be your conclusion as one of my canonical assessors.

May I please ask that you return all of these materials to me in a confidential envelope together with your brief covering memorandum, duly signed.

Thank you very much for your assistance with this difficult case.

eb

194730

XXXIII 000638

NOTES

Uganda Team

11/2/94

→ REDACTED at Pius X — been very "nervous"
 (- she was a major leader of the P.C. prior to
 Ug. — he set her aside but later developed
 a real attachment to him + still protects him
 to some extent).

→ REDACTED REDACTED (telling to REDACTED) asked about a
 REDACTED who lives here in Ug. — she the
 time. She said it bothered her because of
 appearances... She asked what "amante"
 means — + when REDACTED asked answered —
 she was more upset — here, she said,
 people talk about that.

→ What REDACTED said — implies that she has visited
 when asked if priests go to visit —
 She said "of course." She named Fr.
 REDACTED + Fr. REDACTED. She said

⇒ REDACTED REDACTED REDACTED he + elders cont. to visit and have gotten
 info. REDACTED REDACTED been strange in their visits in Ug.

→ Presentation — as far as REDACTED knows at this pt —
 = about the same. // St. Pius X — Fr.
 REDACTED to her agreed to be the 1st priest
 for the program. / REDACTED has begun to
 meet w. REDACTED — who I seen in

NOTES

Leadership w. the Pina X youth group, has ^{REDACTED} ~~now~~ left them but wants further CH. involvement. Thinks he may eventually give info re the youth activities.

→ REDACTED suggests to the movie she sees - there seems to be the sig. of divinizing Ug in the way he's treated by followers.

→ Deed for cabin in Big Bear - obtained by REDACTED : Orig. Y owned - charged deed in 1991 - to grant the ^{and property} house to Ugandu, 3 of the elders + one other woman.

* REDACTED in Big Bear reports nothing happening for the last 4-5 yrs. Reason = Ug went to Spain at that time. REDACTED ~~others~~ said that Mr. Ug was "very ill" when he left for Spain - She asked whether he'd be back ~~there~~ + stressed how sick he was.

⇒ Towards de-programming p. at Presente + Pina X - REDACTED + REDACTED have cont. to est. trust w. the groups.

* R & L live 6 days away & L & B. v. worried that if his ^{enter} ~~never~~ ^{enter} ~~never~~ even met - there could be contribution by Ug ^{enter} ~~never~~ ^{enter} ~~never~~

NOTES

(2)

Legate Team (cont.)

11/2/84

→ REDACTED - has gotten hold of some of the "photocopies" given by REDACTED to members of the house in Reserve. One refers to the "night of the Torments" - when REDACTED & I visited the prison. The photocopies are dated and apparently some are given by REDACTED since his signature (5/94?) for Res.

→ REDACTED visited the house - weekend before last. REDACTED says he "knows" from the last day in the house - when REDACTED was visited.

→ REDACTED should cont. researching the word he rec'd for a woman in the prison who told him: "Please to go. REDACTED has been involved with some young men that in that house."

→ Sounds like he

C-File

① C-File

② Pls note that I've

called Ugarte on

5/12 and 5/15. —

leaving messages

REDACTED

times — & he has

not returned the calls.

(w. the second call I left

the message that he is not

approved for the Affair

working at SCI)

Noviembre 2, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

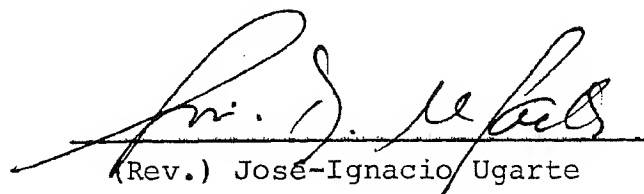
Estimado Cardenal Mahony,

Pido incesantemente al Señor que su Espíritu anime todo su ser y le llene de sus dones, especialmente de su paz.

Como le anuncié, tuve que viajar de emergencia para visitar a mi familia en España y, en concreto, a mi madre, enferma terminal de cáncer en las cuerdas bucales.

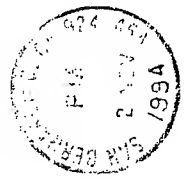
Asimismo, y como se lo anunciaba en mi carta del 19 de Septiembre pasado, le hago saber de mi regreso para los efectos oportunos.

Le saludo atentamente, en Cristo-Sacerdote,

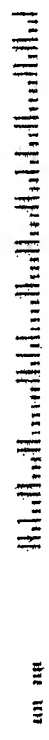


(Rev.) José-Ignacio Ugarte

José-Ignacio Ugarte



Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015



25335

Noviembre 2, 1994

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

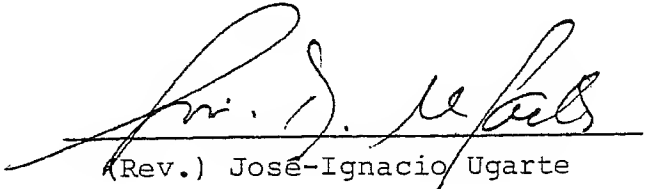
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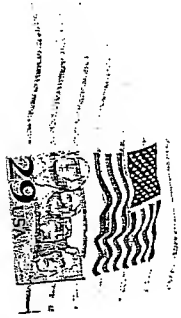


(Rev.) José-Ignacio Ugarte

194726

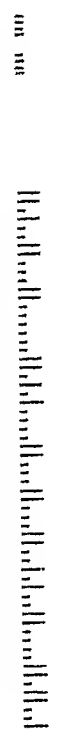
XXXIII 000650

José-Ignacio Ugarte



194727

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015



REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Mage: [REDACTED]DATE: 11-5-94

- ☐ Please REVIEW, then SEE ME
☐ Please REVIEW, then RETURN to me
☐ Please REVIEW, then SEND me your COMMENTS
☐ Please REVIEW, then FILE
☒ Please HANDLE this matter ENTIRELY
☐ Please ANSWER: send copy of letter to me
☐ Please WRITE A REPLY for my signature
☐ For your INFORMATION
☐ Please XEROX - FAX and send copy/copies to:

Original to: ☐ file ☐ back to me ☐REMARKS: How - what do we do?Thanks!



COPY

MEMORANDUM

TO: Cardinal Roger M. Mahony
FROM: Monsignor [REDACTED]
RE: Father Ugarte/Monsignor Wallace's Opinion
DATE: 7 November 1994

I have just sent another memo to you concerning Father Ugarte as well.

I reviewed [REDACTED] opinion. I understand his argument but do not accept it. He creates a standard higher than the law. Canon 977 (to which canon 1378 refers) does not say: "celebrates the Sacrament of Penance" or "hears confession in a confessional." It says "The absolution . . . is invalid . . ."

It is the purpose of an assessor to raise cautions and roadblocks. I recommend that we wait for [REDACTED] opinion. Ultimately, it is your decision based on all of the advice you receive.

195096



FILE COPY

Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
/ 213/ 251-3245933
South Grattan
StreetLos Angeles
California
90015-1100

November 8, 1994

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED] :

Enclosed is a first draft of a summary of the Ugarte hearing. I am sorry it has taken me so long to get it finished and out to you. We've had troubles with our computer system.

Also enclosed is a copy of the September 19 letter from Father Ugarte to the Cardinal.

The assessors are reviewing the matter now.

We have just heard that Father Ugarte is back from Spain. Even though the decree of absence was appropriate, I am raising with the Cardinal the idea of citing him one further time. I'll let you know what he decides.

May God continue to bless you.

Yours in Christ,

[REDACTED]
Judicial Vicar

enclosure

195097



MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 22 November 1994

Thank you for having Monsignor [REDACTED] arrange a date for a new hearing on December 8.

Attached is a letter of citation to Father Ugarte. It should be sent return receipt requested.

Please have [REDACTED] make a copy for Monsignor Dyer's file. Also have her send me two copies, one that I will forward to Father [REDACTED]

Thank you.

cc: Monsignor Dyer

195098

XXXIII 000658

**PRIORITY**

MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 22 November 1994

Thank you for having Monsignor [REDACTED] arrange a date for a new hearing on December 8.

Attached is a letter of citation to Father Ugarte. It should be sent return receipt requested.

Please have [REDACTED] make a copy for Monsignor Dyer's file. Also have her send me two copies, one that I will forward to Father [REDACTED]

Thank you.

cc: Monsignor Dyer

PRIORITY

done
11-23-94

25331

XXXIII 000659



Dec. 8, 1994
10:45 am

Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

November 22, 1994

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father Ugarte:

As you were informed in my letter of September 8, 1994, a canonical hearing was held on October 27, 1994 as part of the formal process to make a determination on whether you incurred the *latae sententiae* (automatic) excommunication of canon 1378, §1.

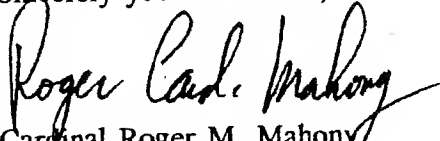
You were cited to be present for that hearing, but did not attend. Your letter to me of September 19, 1994, made no mention of the hearing, and made no request for a delay of the hearing. Thus, the hearing was held and you were declared "absent" in accord with the appropriate canonical norms.

Given the seriousness of the matter, however, and recognizing your concern for your mother's health, I have chosen not to make any final determination until giving you another opportunity to be heard. Therefore, I hereby cite you to be present for a canonical hearing in the Chancery of the Archdiocese of Los Angeles on Thursday, December 8, 1994, at 10:45 a.m.

I strongly urge you to consult with your canonical advocate, Reverend [REDACTED], before that time.

You continue to be in my prayers.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: Rev. [REDACTED]

25330

P 116 515 138

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982
★ U.S.G.P.O. 188-446-014Sent to
Rev. Jose I. Ugarte

REDACTED

Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	1.35
TOTAL Postage and Fees	\$ 2.64
Postmark or Date	J.C. 11/23/82

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☒ Restricted Delivery.

3. Article Addressed to:

REVEREND JOSE I UGARTE

REDACTED

4. Article Number

P 116 515 138

Type of Service:

- ☒ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express-Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

X

6. Signature — Agent

X

7. Date of Delivery

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

194998

XXXIII 000662

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☒ Restricted Delivery.

3. Article Addressed to:
 REVEREND JOSE L UGARTE
 REDACTED
 REDACTED

4. Article Number
 P 116 515 138

Type of Service:
☒ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**

8. Addressee's Address (ONLY if requested on fee paid)

6. Signature - Agent
 X

7. Date of Delivery

PS Form 3811, Feb. 1986


DOMESTIC RETURN RECEIPT

194914

**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO 

Print Sender's name, address, and ZIP Code in the space below.

Cardinal Roger Mahony

1531 West Ninth Street

Los Angeles, CA 90015-1194

U.S. MAIL

PENALTY FOR PRIVATE USE \$300

194915

ST. BEDE THE VENERABLE

215 FOOTHILL BOULEVARD, P.O. BOX 809, LA CANADA, CALIFORNIA 91011-0809, (818) 790-5155

November 3rd, 1994.

To: Cardinal Roger Mahony
Archbishop of Los Angeles

From: [REDACTED]

Subject: [REDACTED]

As per your request, I have reviewed this file completely and I am ready to advise you on two issues in the case.

1. Is there certainty that there was an attempt by Fr. Ugarte to absolve Mr. [REDACTED] that violated Canon 1378?

Canon 18 directs that laws which establish a penalty are subject to a strict interpretation. For purposes of the case before us, to law envisions the absolution of an accomplice within the context of the celebration of the Sacrament of Reconciliation of an individual in ordinary circumstances as described in the liturgical books.

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2. If there was such an external violation, was the offence "seriously imputable" (C.1321)?

If one agrees that there was an external violation, the presumption of Canon 1321 #3. would prevail, and the offence would be seriously imputable.

November 3, 1994

[REDACTED]



Archdiocese of Los Angeles

Office of the
Regional Bishop
(818) 960-9344San Gabriel
Pastoral
Region16009
East Cypress
AvenueIrwindale
California
91706

November 29, 1994

CONFIDENTIAL

TO: Cardinal Roger Mahony

FROM: [REDACTED]

SUBJECT: Reverend Jose I Ugarte

I have reviewed the entire file in reference Father Jose Ugarte's attempted sacramental absolution of an accomplice in a sin against the sixth commandment of the decalogue.

As you mention in your memo, the two issues at hand are:

1. Is there certainty that there was an attempt by Father Ugarte to absolve Mr. [REDACTED] that violated Canon 1378?
2. If there was such an external violation, was the offense "seriously imputable" (Canon 1321)?

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I am also of the opinion that this offense was seriously imputable. In the case of an external violation, serious imputability is to be presumed. The facts also point to culpable negligence, if not deliberate intent. This in itself would make the offense seriously imputable. As I understand the law, The burden would be on Father Ugarte to demonstrate that imputability is not verified in this case. He has not done this.

I also know Mr. [REDACTED] quite well. He is a forthright and honest man.

In light of the above, I respond in the AFFIRMATIVE to the two stated questions.

194996

P 116 515 138

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982

★ U.S.G.P.O. 1984-448-014

Sent to	Rev. Jose I. Ugarte
Street and No.	REDACTED
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	1.35
TOTAL Postage and Fees	\$ 2.64
Postmark or Date	J.C. 11/23/82

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3. Article Addressed to: REVEREND JOSE I UGARTE REDACTED	4. Article Number P 116 515 138
5. <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Express-Mail	6. <input type="checkbox"/> Insured <input type="checkbox"/> COD
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PS Form 3811, Feb. 1986

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Saint Luke Institute

CONFIDENTIAL

December 6, 1994

Reverend Monsignor Timothy Dyer
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

RE: Reverend Jose Ugarte
SLI NO: 12737

Dear Monsignor Dyer:

I am writing this letter to inform you of our recent discharge of Father Jose Ugarte. On November 14, 1994, Father Ugarte was scheduled for his second Continuing Care workshop. According to our records, he did not appear for his first Continuing Care workshop on May 23, 1994 and since he did not appear for his second Continuing Care workshop, that means that we have not had any contact with Father Ugarte for one year. Our policy dictates that we have at least one annual contact with a Continuing Care patient in order to continue him or her in our program. Since we have had no contact from Father Ugarte over the past year, we have no choice but to discharge him as of the date of this letter. If you have any questions or comments about this action, please do not hesitate to call or to write with respect to this case.

Sincerely,

[Redacted Signature]

[Redacted Title]

Coordinator
Continuing Care Services

[Redacted Signature]

[Redacted Title]

Director, Outpatient Department

[Redacted Signature]

Frank Valcour, MD
Medical Director and
Vice President for Medical Affairs

cc: Reverend Jose Ugarte

194999

DO A
REPORT

194917

XXXIII 000674

Summary of the Hearing Concerning the Possible Declaration of a Penalty on Reverend Jose I. Ugarte

The hearing was held Thursday morning, December 8, 1994, in the Cardinal's office at the Chancery of the Archdiocese of Los Angeles.

A. Present at the meeting were:

Cardinal Roger M. Mahony
Monsignor Timothy J. Dyer, Vicar for Clergy
Monsignor [REDACTED], Canonical Advisor to the Cardinal
Reverend Jose I. Ugarte

Reverend [REDACTED], an advocate for Father Ugarte appointed by Cardinal Mahony in accord with canon 1723, §2, participated in the hearing by telephone. Previously, Father [REDACTED] had been provided authentic copies of all the proofs and procedural acts relevant to the matter at issue.

B. Cardinal Mahony opened the hearing by indicating that it was focused solely on the question of whether Father Ugarte attempted to absolve [REDACTED], thereby incurring the automatic penalty of canon 1378, §1.

C. Father Ugarte was given the opportunity to read the evidence presented against him. Specifically, he read the following:

- 1) the letter of February 16, 1993 from Mr. [REDACTED] to Father Ugarte;
- 2) the memo of April 3, 1993 from Mr. [REDACTED] to Monsignor Dyer;
- 3) the memo of April 12, 1993, in which Monsignor Dyer summarized the content of a meeting he and Monsignor Terrence Richey held with Father Ugarte on April 10, 1993.
- 4) the testimony of [REDACTED] presented on June 29, 1994, the summary of which was reviewed and sworn under oath July 6, 1994.

D. After Father Ugarte completed reading these materials, Father [REDACTED] explained to his client the importance of what was at issue, specifically that the Cardinal needs to ascertain whether the facts of the matter are in accord with the testimony presented in order to determine whether the excommunication took effect. Father [REDACTED] further explained that if the facts established the attempted absolution took place, the Cardinal would not be imposing a penalty, but simply declaring that one had automatically come into effect.

E. Monsignor [REDACTED] then informed Father Ugarte that since this is a canonical penal action, the Cardinal could not compel him to take an oath (canon 1728, §2). Father Ugarte could, however, choose to testify under oath.

F. Father [REDACTED] then asked for some time to consult with Father Ugarte privately. This was acceptable to all. The hearing was briefly recessed and the Cardinal along with Monsignors [REDACTED] and Dyer exited the room.

G. After several minutes, Father Ugarte informed the Cardinal that he had completed his consultations with his advocate. The hearing was resumed. Father [REDACTED] indicated

*Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 2*

that Father Ugarte wished to testify under oath. The oath was administered in the usual manner.

- H. The Cardinal then asked Father Ugarte whether the description of events presented by Mr. [REDACTED] was accurate. Father Ugarte responded:

I have thought and prayed a lot about it. I am sure that what I did was impose my hands and pray for him. I never wanted to give him absolution. What I did was have him kneel, lay my hands on him, and pray for him and myself that God forgive us. I was not aware of any intent to give him absolution.

- I. Cardinal Mahony then referred to his memo of July 1, 1994, summarizing the content of a meeting involving himself, Monsignor Dyer and Monsignor Richey and Father Ugarte on June 30, 1994. Among the matters discussed then was the allegation of the attempted absolution. In that meeting, Father Ugarte indicated that he had used the words "Si, te perdono de tus pecados." Mr. [REDACTED] understood that by the words and actions of Father Ugarte, he had been given absolution. The Cardinal asked if Father Ugarte were now changing his story. Father Ugarte responded:

I have thought a lot about the matter since that meeting in June. I was feeling guilty and wanted to pray for him and for me. I was extremely surprised when you asked about this in June. In thinking about it since, I am sure I did not give him absolution. If I had done that, I would have used the whole formula. What I did was invite him to ask forgiveness. I never had the intention of giving absolution. I agree that his interpretation of what happened could be different, but I never intended and did not use the whole formula.

- J. The Cardinal then noted that Mr. [REDACTED] perceived that what Father Ugarte was doing was in fact the ministry of the Sacrament of Penance. According to Father Ugarte, words were used which are almost identical to the essential elements of the form of absolution. There remains a difference in what Father Ugarte admitted in the June 30 meeting and what he asserts in this hearing. Apparently, Father Ugarte had asked that Mr. [REDACTED] swear to keep the secret of the conduct. Mr. [REDACTED] would not be free to approach any other priest for absolution if he had promised to "take this secret to the grave." That seems to support Mr. [REDACTED] claim that Father Ugarte gave him absolution, if there was no other way to obtain absolution. Father Ugarte replied:

Nevertheless, I never asked him not to go to another priest for confession. I never said "Go only to confession to me." You said I had him swear. I said, "Me prometes," promise me. In Spanish, you can break a promise and it is no big thing. An oath is something sacred that cannot be broken. I did not ask him to take an oath.

*Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 3*

- K. Father [REDACTED] interjected a question, asking whether Father Ugarte was requesting that Mr. [REDACTED] keep the sexual activity secret, or the prayer of forgiveness secret. Father Ugarte replied:

To keep secret our sexual behavior. I never said anything about the prayer.

- L. The Cardinal said that in reading over Mr. [REDACTED]'s testimony, he indicated that he felt very dirty, very guilty, yet had promised to tell no one. The Cardinal challenged Father Ugarte's conclusion that a "promesa" is not binding. There are many people who walk on their knees to the Basilica of Guadalupe in fulfillment of a "promesa." A "promesa" is very strong. Father Ugarte replied:

Yes, but there is a big difference in Spanish between "promesa" and "juramenta."

- M. The Cardinal indicated that [REDACTED] understood his promise not to speak to anyone of the sexual behavior as very obligating. If he could not speak of the matter to anyone else, Father Ugarte was the only person he could turn to for absolution. Father [REDACTED] stated he did not see a strong connection between this promise of secrecy and whether or not absolution was attempted. Monsignor [REDACTED] then noted that Mr. [REDACTED]'s testimony was very strong in indicating that it was his belief Father Ugarte absolved him. That was the sole impression he drew from Father Ugarte's behavior. Monsignor [REDACTED] asked if Father Ugarte had any awareness that this was Mr. [REDACTED]'s impression and if perhaps he used that impression in his sexual manipulation of Mr. [REDACTED]. Father Ugarte replied:

No. I did not do that to give him the impression of the Sacrament of Penance. I wanted to give him a sense of peace. I did not intend to give absolution. I did intend him to have peace and tranquility.

- N. Father [REDACTED] then indicated that Father Ugarte's testimony indicates a gap between what Father Ugarte intended in his heart and what Mr. [REDACTED] perceived. He stated that Father Ugarte is clear he did not intend to give absolution. It is certainly conceivable that while Father Ugarte did not intend to extend absolution, that would not preclude another person from surmising that absolution was given. The issue is whether absolution was attempted.

- O. The Cardinal indicated remaining troubled by the differences in what Father Ugarte admitted in June and what he was now stating. There is a severe difficulty in reconciling these two different versions of the story. The Cardinal noted that when the issue was raised in the June meeting, he was very surprised that Father Ugarte did not immediately disavow the charge. The only question Father Ugarte raised at that June meeting was over whether he did or did not employ the gesture of laying on hands. The Cardinal indicated that in June he expected a denial of the claim that absolution was attempted, but that charge was not challenged by Father Ugarte then. In fact, he seemed rather nonplussed and nonchalant about it. Today, the testimony is different. This is troublesome. What is the truth of the matter? The story of June 30 is more in accord with the testimony of Mr. [REDACTED]. Today, it is another way. Father Ugarte responded:

194920

*Summary of the Hearing Concerning the
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In June, I was so surprised. I had not thought about it. It was long ago. Since June, I have thought about it and prayed about it. I remembered that in our community at the time it was our custom to pray for each other by laying on hands. I am sure now that I did lay hands on [REDACTED]. But I am sure after having thought it over that I did not use the formula. I intended for him to ask forgiveness, but not to give absolution.

- P. In June you did not object to the fact that this sort of thing happened on multiple occasions. You said you didn't think it was as frequent as Mr. [REDACTED] said. I recall that in that conversation we talked about differences between canonical absolution and other forms of prayer, yet then you did not indicate that you never intended your prayer as sacramental absolution. Father Ugarte replied:

I don't remember how many times, maybe two or three, I'm not sure. It didn't happen too often. I just don't know how many times.

- Q. I can understand how [REDACTED] believed it was absolution you were extending. Whether you used the full formula, you did use the heart of the formula. You did use those words "Yo te perdono" which are the words of absolution.

I never said "Yo te perdono." I asked him to pray for forgiveness. I am sure I never said that.

- R. On that day in June, Monsignor Dyer and I both wrote down, independently, that you admitted using the words "Yo te perdono." I was very surprised you said that, which is why I remember it so clearly. In that meeting, it was you who indicated using those words. Thus, denying using those words now is a change in your story. I must consider that. I must ask myself why the story is different today. Father Ugarte replied:

It is different because it was not clear in my mind then. What I say today is said because I have thought about it and prayed about it since then.

- S. Father [REDACTED] then asked whether the information gathered in that June meeting was under oath. The answer was that no oath was administered then. It was not a meeting held as part of a formal canonical process, but an intervention of a bishop with his priest concerning serious problems. Father [REDACTED] also asked whether Father Ugarte had any advocate present at that June meeting. The answer was no. Father [REDACTED] then argued that greater weight must be given to the testimony given at this hearing since it is given under oath. It is testimony that must be attended to more seriously.

- T. The discussion concluded with Father Ugarte being notified that a summary of the content of the hearing would be prepared, with copies sent to all participants, including him and Father [REDACTED], for comment and correction. A final text would be prepared that was mutually agreed upon as accurate. Father [REDACTED] asked if the Cardinal would give him time after the summary of the hearing was agreed upon to

*Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 5*

present a written brief on behalf of his client. The Cardinal readily agreed to provide such an opportunity.

- U. By mutual agreement, the hearing was concluded. Father Ugarte was informed that he was no longer under oath. A discussion of related matters, specifically of the precept issued by the Cardinal to Father Ugarte then commenced. It was agreed that the notes summarizing that further discussion would be contained in a separate document since the formal hearing was concluded.

These notes were taken by Monsignor [REDACTED] and copies provided to the participants. No objections were made to the substance of the text, which was incorporated into the acts with a few typographical and grammatical corrections.

[REDACTED]



MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Tim Dyer

FROM: Monsignor [REDACTED]

RE: Reverend Jose I. Ugarte

DATE: 8 December 1994

Attached is my first draft of a summary of the content of this morning's hearing. I have sent copies to Fathers Ugarte and [REDACTED] as well.

I will be preparing a brief summary of the post-hearing conversation tomorrow.

A thought occurred to me that I wanted to mention. In looking again at the letter of November 22, citing Father Ugarte to the hearing today, reference was made to the earlier letter of September 8 and the hearing of October 27. Reference was made to the hearing being held and the fact that he did not show up for it.

We know Father Ugarte read the November letter since he showed up today. If he really did not read the earlier letter, why didn't he immediately call us and say: "What letter of September 8?" and "What hearing?" The fact that he did not raise those sorts of questions, at least at the beginning of the session today is very strange. Normally, a person reading a letter referring to other material that they never saw would immediately inquire. This leads me to wonder how truthful Jose was in saying he never read those earlier letters. While that statement was not under oath, this discrepancy leads me to doubt his credibility all the more, even when under oath.

good point!

Looks fine - thanks!

+ RLM

194718

12-9-94

Priority

The C-File Update
materials attached to this
memo are most imp.
& shld be returned to
the file immediately —
as they are ORIGINALS

Orla
TD 12/11

194719



MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Tim Dyer

FROM: Monsignor [REDACTED]

RE: Reverend Jose I. Ugarte

DATE: 8 December 1994

Attached is my first draft of a summary of the content of this morning's hearing. I have sent copies to Fathers Ugarte and [REDACTED] as well.

I will be preparing a brief summary of the post-hearing conversation tomorrow.

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TIM,
ALSO ENCLOSED ARE THE ORIGINAL
RECEIPTS. PLEASE HAVE THEM
RETURNED TO THE FILE SO WE
DON'T LOSE THEM.

194720



COPY

MEMORANDUM

TO: Cardinal Roger Mahony
 FROM: Monsignor [REDACTED]
 RE: Reverend Jose I. Ugarte
 DATE: 8 December 1994

 Father [REDACTED] finally received a phone message from Father Ugarte yesterday. Father Deibel was attempting to return the call. He will urge Father Ugarte to be present today.

This hearing is provided as a last opportunity for Father Ugarte to present a defense. The same three questions which were the focus of the earlier hearing are at issue:

- 1) Is there certainty that there was an attempt or attempts on the part of Father Ugarte to absolve [REDACTED] in violation of canon 1378?
- 2) If so, was this external violation "seriously imputable" (canon 1321)?
- 3) If there was a violation that was seriously imputable, is declaring the excommunication that would have been automatically incurred truly needed (canon 1341)?

If Father Ugarte does not appear, we will declare him absent and have a very brief discussion of the comments of the two assessors. You can make your decision immediately. If you decide to declare the penalty, I will prepare a decree for you. Father [REDACTED] stated that there is no need to call him in this circumstance.

If Father Ugarte appears, we will phone Father [REDACTED] and there will be a discussion of the evidence. Father Ugarte will have access to the testimony of Mr. [REDACTED] in order to make any defense. He cannot be compelled to take an oath (canon 1728, §2), although he may choose to do so.

Other issues could be discussed with Father Ugarte, though not part of the hearing proper.

Father [REDACTED] can be reached at the time of the hearing at [REDACTED]
 [REDACTED]

cc: Monsignor Dyer

194721

20. 8, 1994
10:45 am



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

November 22, 1994

Rev. Jose I. Ugarte

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father Ugarte:

As you were informed in my letter of September 8, 1994, a canonical hearing was held on October 27, 1994 as part of the formal process to make a determination on whether you incurred the *latae sententiae* (automatic) excommunication of canon 1378, §1.

You were cited to be present for that hearing, but did not attend. Your letter to me of September 19, 1994, made no mention of the hearing, and made no request for a delay of the hearing. Thus, the hearing was held and you were declared "absent" in accord with the appropriate canonical norms.

Given the seriousness of the matter, however, and recognizing your concern for your mother's health, I have chosen not to make any final determination until giving you another opportunity to be heard. Therefore, I hereby cite you to be present for a canonical hearing in the Chancery of the Archdiocese of Los Angeles on Thursday, December 8, 1994, at 10:45 a.m.

I strongly urge you to consult with your canonical advocate, Reverend [REDACTED], before that time.

You continue to be in my prayers.

Sincerely yours in Christ,

+
Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: [REDACTED]

194722



PRIORITY

MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 22 November 1994

Thank you for having Monsignor [REDACTED] arrange a date for a new hearing on December 8.

Attached is a letter of citation to Father Ugarte. It should be sent return receipt requested.

Please have [REDACTED] make a copy for Monsignor Dyer's file. Also have her send me two copies, one that I will forward to Father [REDACTED]

Thank you.

cc: Monsignor Dyer

PRIORITY

done
11-23-94

194723

XXXIII 000691

P 116 515 138

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982

Sent to	Rev. Jose I. Ugarte
REDACTED	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	1.35
TOTAL Postage and Fees	\$ 2.64
Postmark or Date	J.C. 11/23/82

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1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address.	2. <input checked="" type="checkbox"/> Restricted Delivery.
3. Article Addressed to: REVEREND JOSE I UGARTE REDACTED	4. Article Number P 116 515 138 Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express-Mail
REDACTED	Always obtain signature of addressee or agent and DATE DELIVERED.
5. <input checked="" type="checkbox"/> Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

DECEMBER 1,
1994 CAN
BT-MADK
OUT ON
THE
ORIGINAL



December 8, 1994
10:45 A.M.

MEMORANDUM

TO: Cardinal Roger M. Mahony
Monsignor Timothy Dyer

FROM: Monsignor [REDACTED]

RE: Father Ugarte

DATE: 7 November 1994

Attached is a letter received from Father Ugarte, indicating he has returned from Spain.

While not strictly necessary canonically since he was decreed illegitimately absent from the hearing, given that declaration of penalties is a last resort, I recommend we set a new hearing date as soon as possible in the future and cite him to appear at that time.

This will show that we have done everything possible to allow him to defend himself. In addition, if anything ever becomes public I believe this protects us. He could try to use a "sympathy" ploy to say we moved to penalize him while he was with his dying mother.

Could Monsignor [REDACTED] could try to schedule something that fits our three calendars?

194725

XXXIII 000693



COPY

MEMORANDUM

TO: Cardinal Roger Mahony
 FROM: Monsignor [REDACTED]
 RE: Reverend Jose I. Ugarte
 DATE: 8 December 1994

 Father [REDACTED] finally received a phone message from Father Ugarte yesterday. Father [REDACTED] was attempting to return the call. He will urge Father Ugarte to be present today.

This hearing is provided as a last opportunity for Father Ugarte to present a defense. The same three questions which were the focus of the earlier hearing are at issue:

- 1) Is there certainty that there was an attempt or attempts on the part of Father Ugarte to absolve [REDACTED] in violation of canon 1378?
- 2) If so, was this external violation "seriously imputable" (canon 1321)?
- 3) If there was a violation that was seriously imputable, is declaring the excommunication that would have been automatically incurred truly needed (canon 1341)?

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If Father Ugarte appears, we will phone Father [REDACTED] and there will be a discussion of the evidence. Father Ugarte will have access to the testimony of Mr. [REDACTED] in order to make any defense. He cannot be compelled to take an oath (canon 1728, §2), although he may choose to do so.

Other issues could be discussed with Father Ugarte, though not part of the hearing proper.

Father [REDACTED] can be reached at the time of the hearing at [REDACTED]

cc: Monsignor Dyer

Summary of the Hearing Concerning the Possible Declaration
of a Penalty on Reverend Jose I. Ugarte

FIRST DRAFT

The hearing was held Thursday morning, December 8, 1994, in the Cardinal's office at the Chancery of the Archdiocese of Los Angeles.

A. Present at the meeting were:

Cardinal Roger M. Mahony
Monsignor Timothy J. Dyer, Vicar for Clergy
Monsignor [REDACTED], Canonical Advisor to the Cardinal
Reverend Jose I. Ugarte

Reverend [REDACTED], an advocate for Father Ugarte appointed by Cardinal Mahony in accord with canon 1723, §2, participated in the hearing by telephone. Previously, Father [REDACTED] had been provided authentic copies of all the proofs and procedural acts relevant to the matter at issue.

B. Cardinal Mahony opened the hearing by indicating that it was focused solely on the question of whether Father Ugarte attempted to absolve [REDACTED], thereby incurring the automatic penalty of canon 1378, §1.

C. Father Ugarte was given the opportunity to read the evidence presented against him. Specifically, he read the following:

- 1) the letter of February 16, 1993 from Mr. [REDACTED] to Father Ugarte;
- 2) the memo of April 3, 1993 from Mr. [REDACTED] to Monsignor Dyer;
- 3) the memo of April 12, 1993, in which Monsignor Dyer summarized the content of a meeting he and Monsignor Terrence Richey held with Father Ugarte on April 10, 1993.
- 4) the testimony of [REDACTED] presented on June 29, 1994, the summary of which was reviewed and sworn under oath July 6, 1994.

D. After Father Ugarte completed reading these materials, Father [REDACTED] explained to his client the importance of what was at issue, specifically that the Cardinal needs to ascertain whether the facts of the matter are in accord with the testimony presented in order to determine whether the excommunication took effect. Father [REDACTED] further explained that if the facts established the attempted absolution took place, the Cardinal would not be imposing a penalty, but simply declaring that one had automatically come into effect.

E. Monsignor [REDACTED] then informed Father Ugarte that since this is a canonical penal action, the Cardinal could not compel him to take an oath (canon 1728, §2). Father Ugarte could, however, choose to testify under oath.

F. Father [REDACTED] then asked for some time to consult with Father Ugarte privately. This was acceptable to all. The hearing was briefly recessed and the Cardinal along with Monsignors [REDACTED] and Dyer exited the room.

FIRST DRAFT: Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 2

G. After several minutes, Father Ugarte informed the Cardinal that he had completed his consultations with his advocate. The hearing was resumed. Father [REDACTED] indicated that Father Ugarte wished to testify under oath. The oath was administered in the usual manner.

H. The Cardinal then asked Father Ugarte whether the description of events presented by Mr. [REDACTED] was accurate. Father Ugarte responded:

I have thought and prayed a lot about it. I am sure that what I did was impose my hands and pray for him. I never wanted to give him absolution. What I did was have him kneel, lay my hands on him, and pray for him and myself that God forgive us. I was not aware of any intent to give him absolution.

I. Cardinal Mahony then referred to his memo of July 1, 1994, summarizing the content of a meeting involving himself, Monsignor Dyer and Monsignor Richey and Father Ugarte on June 30, 1994. Among the matters discussed [REDACTED] allegation of the attempted absolution. In that meeting, Father Ugarte indicated that he had used the words "Si, te perdono de tus pecados." Mr. [REDACTED] understood that by the words and actions of Father Ugarte, he had been given absolution. The Cardinal asked if Father Ugarte were now changing his story. Father Ugarte responded:

I have thought a lot about the matter since that meeting in June. I was feeling guilty and wanted to pray for him and for me. I was extremely surprised when you asked about this in June. In thinking about it since, I am sure I did not give him absolution. If I had done that, I would have used the whole formula. What I did was invite him to ask forgiveness. I never had the intention of giving absolution. I agree that his interpretation of what happened could be different, but I never intended and did not use the whole formula.

J. The Cardinal then noted that Mr. [REDACTED] perceived that what Father Ugarte was doing was in fact the ministry of the Sacrament of Penance. According to Father Ugarte, words were used which are almost identical to the essential elements of the form of absolution. There remains a difference in what Father Ugarte admitted in the June 30 meeting and what he asserts in this hearing. Apparently, Father Ugarte had asked that Mr. [REDACTED] swear to keep the secret of the conduct. Mr. [REDACTED] would not be free to approach any other priest for absolution if he had promised to "take this secret to the grave." That seems to support Mr. [REDACTED] claim that Father Ugarte gave him absolution, if there was no other way to obtain absolution. Father Ugarte replied:

Nevertheless, I never asked him not to go to another priest for confession. I never said "Go only to confession to me." You said I had him swear. I said, "Me prometes," promise me. In Spanish, you can break a promise and it is no big thing. An oath is something sacred that cannot be broken. I did not ask him to take an oath.

FIRST DRAFT: Summary of the Hearing Concerning the
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the Reverend Jose I. Ugarte
Page 3

- K. Father [REDACTED] interjected a question, asking whether Father Ugarte was requesting that Mr. [REDACTED] keep the sexual activity secret, or the prayer of forgiveness secret. Father Ugarte replied:

To keep secret our sexual behavior. I never said anything about the prayer.

- L. The Cardinal said that in reading over Mr. [REDACTED]'s testimony, he indicated that he felt very dirty, very guilty, yet had promised to tell no one. The Cardinal challenged Father Ugarte's conclusion that a "promesa" is not binding. There are many people who walk on their knees to the Basilica of Guadalupe in fulfillment of a "promesa." A "promesa" is very strong. Father Ugarte replied:

Yes, but there is a big difference in Spanish between "promesa" and "juramenta."

- M. The Cardinal indicated that Luis understood his promise not to speak to anyone of the sexual behavior as very obligating. If he could not speak of the matter to anyone else, Father Ugarte was the only person he could turn to for absolution. Father [REDACTED] stated he did not see a strong connection between this promise of secrecy and whether or not absolution was attempted. Monsignor [REDACTED] then noted that Mr. [REDACTED]'s testimony was very strong in indicating that it was his belief Father Ugarte absolved him. That was the sole impression he drew from Father Ugarte's behavior. Monsignor [REDACTED] asked if Father Ugarte had any awareness that this was Mr. [REDACTED]'s impression and if perhaps he used that impression in his sexual manipulation of Mr. [REDACTED]. Father Ugarte replied:

No. I did not do that to give him the impression of the Sacrament of Penance. I wanted to give him a sense of peace. I did not intend to give absolution. I did intend him to have peace and tranquility.

- N. Father [REDACTED] then indicated that Father Ugarte's testimony indicates a gap between what Father Ugarte intended in his heart and what Mr. [REDACTED] perceived. He stated that Father Ugarte is clear he did not intend to give absolution. It is certainly conceivable that while Father Ugarte did not intend to extend absolution, that would not preclude another person from surmising that absolution was given. The issue is whether absolution was attempted.

- O. The Cardinal indicated remaining troubled by the differences in what Father Ugarte admitted in June and what he was now stating. There is a severe difficulty in reconciling these two different versions of the story. The Cardinal noted that when the issue was raised in the June meeting, he was very surprised that Father Ugarte did not immediately disavow the charge. The only question Father Ugarte raised at that June meeting was over whether he did or did not employ the gesture of laying on hands. The Cardinal indicated that in June he expected a denial of the claim that absolution was attempted, but that charge was not challenged by Father Ugarte then. In fact, he seemed rather nonplussed and nonchalant about it. Today, the testimony is different. This is troublesome. What is the truth of the matter? The story of

**FIRST DRAFT: Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte**
Page 4

June 30 is more in accord with the testimony of Mr. [REDACTED]. Today, it is another way. Father Ugarte responded:

In June, I was so surprised. I had not thought about it. It was long ago. Since June, I have thought about it and prayed about it. I remembered that in our community at the time it was our custom to pray for each other by laying on hands. I am sure now that I did lay hands on [REDACTED]. But I am sure after having thought it over that I did not use the formula. I intended for him to ask forgiveness, but not to give absolution.

- P. In June you did not object to the fact that this sort of thing happened on multiple occasions. You said you didn't think it was as frequent as Mr. [REDACTED] said. I recall that in that conversation we talked about differences between canonical absolution and other forms of prayer, yet then you did not indicate that you never intended your prayer as sacramental absolution. Father Ugarte replied:

I don't remember how many times, maybe two or three, I'm not sure. It didn't happen too often. I just don't know how many times.

- Q. I can understand how [REDACTED] believed it was absolution you were extending. Whether you used the full formula, you did use the heart of the formula. You did use those words "Yo te perdono" which are the words of absolution.

I never said "Yo te perdono." I asked him to pray for forgiveness. I am sure I never said that.

- R. On that day in June, Monsignor Dyer and I both wrote down that you admitted using the words "Yo te perdono." I was very surprised you said that, which is why I remember it so clearly. In that meeting, it was you who indicated using those words. Thus, denying using those words now is a change. I must consider that. I must ask myself why the story is different today. Father Ugarte replied:

It is different because it was not clear in my mind then. What I say today is said because I have thought about it and prayed about it since then.

- S. Father [REDACTED] then asked whether the information gathered in that June meeting was under oath. The answer was that no oath was administered then. It was not a meeting held as part of a formal canonical process, but an intervention of a bishop with his priest concerning serious problems. Father [REDACTED] also asked whether Father Ugarte had any advocate present at that June meeting. The answer was no. Father [REDACTED] then argued that greater weight must be given to the testimony given at this hearing since it is given under oath. It is testimony that must be attended to more seriously.

- T. The discussion concluded with Father Ugarte being notified that a summary of the content of the hearing would be prepared, with copies sent to all participants, including him and Father [REDACTED] for comment and correction. A final text would be prepared that was mutually agreed upon as accurate. Father [REDACTED] asked if the

**FIRST DRAFT: Summary of the Hearing Concerning the
Possible Declaration of a Penalty on
the Reverend Jose I. Ugarte
Page 5**

Cardinal would give him time after the summary of the hearing was agreed upon to present a written brief on behalf of his client. The Cardinal readily agreed to provide such an opportunity.

- U. By mutual agreement, the hearing was concluded. Father Ugarte was informed that he was no longer under oath. A discussion of related matters, specifically of the precept issued by the Cardinal to Father Ugarte then commenced. It was agreed that the notes summarizing that further discussion would be contained in a separate document since the formal hearing was concluded.

These notes were taken by Monsignor [REDACTED], corrected and mutually . . .

[REDACTED]



FILED
RECEIVED
ARCHDIOCESE OF LOS ANGELES
CLERICAL
ADMINISTRATIVE
DIVISION

Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
(213) 251-3245

933
South Grattan
Street

Los Angeles
California
90015-1100

December 8, 1994

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Father **[REDACTED]**

Thank you for your intervention in this case up to this point. I hope your upcoming meeting with Father Ugarte will be fruitful.

Enclosed is the first draft of the summary of what took place at the hearing earlier this morning. I am also sending this draft to Father Ugarte (although I am not doing a return receipt requested on it). Please review it and let me know of any additions, corrections, deletions that you believe will make the record more accurate. The Cardinal and Monsignor Dyer are also reviewing the draft.

Also enclosed are photocopies of the three signed receipts for the letters of citation. In looking over the letter of November 22, 1994, citing him to the hearing today, I note that the letter makes a reference to the letter of September 8 and hearing of October 27. I find it an "interesting" question concerning his credibility that he did not immediately call us upon receiving this one (which we know he read) and say: "What letter? What hearing?" if he did not read the earlier letters.

Also enclosed is the final version of the summary of the October 27 hearing for your records.

Finally, let me add that I would expect Father Ugarte to pick up your costs for your flight down here to meet with him. From the information we have, he is not without resources. Should you get left in the lurch, however, let me know and I am sure that your expenses can be reimbursed. Secondly, let me suggest you obtain a definite mandate from Father Ugarte. Right now you are operating under the mandate of the Cardinal as the one he appointed for Father Ugarte. At this point, it seems more appropriate that Father Ugarte specifically mandate you.

Sincerely yours in Christ,

[REDACTED]
[REDACTED]

enclosures

195105



FILE COPY

MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Tim Dyer

FROM: Monsignor [REDACTED]

RE: Reverend Jose I. Ugarte

DATE: 8 December 1994

Attached is my first draft of a summary of the content of this morning's hearing. I have sent copies to Fathers Ugarte and [REDACTED] as well.

I will be preparing a brief summary of the post-hearing conversation tomorrow.

A thought occurred to me that I wanted to mention. In looking again at the letter of November 22, citing Father Ugarte to the hearing today, reference was made to the earlier letter of September 8 and the hearing of October 27. Reference was made to the hearing being held and the fact that he did not show up for it.

We know Father Ugarte read the November letter since he showed up today. If he really did not read the earlier letter, why didn't he immediately call us and say: "What letter of September 8?" and "What hearing?" The fact that he did not raise those sorts of questions, at least at the beginning of the session today is very strange. Normally, a person reading a letter referring to other material that they never saw would immediately inquire. This leads me to wonder how truthful Jose was in saying he never read those earlier letters. While that statement was not under oath, this discrepancy leads me to doubt his credibility all the more, even when under oath.

195104

XXXIII 000704



Los Angeles
California
90015-1100

Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
(213) 251-3245

933
South Grattan
Street

Los Angeles
California
90015-1100

December 8, 1994

Rev. Jose I. Ugarte

~~1000 Channing Park Drive~~
~~1000 BOX 650~~
~~1000 Channing Park Drive 90017-0650~~

Dear Father Ugarte:

As I promised, enclosed is a first draft summarizing the content of this morning's hearing. I have also sent a copy to Father ~~Smith~~. I ask that when you meet with him you discuss this draft in order to recommend any amendments that would make it more accurate. He and you should then forward any suggestions to me in order that a final official version can be completed.

Thank you for your attention to this matter. May God bless you.

Sincerely yours in Christ,

~~[Signature]~~

195103



COPY
Jose Ugarte

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

May 31, 1994

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]

Dear Father Ugarte:

Since receiving your letter of May 14, I have called your number at the cabin at Big Bear three times and, to date, have received no response.

My purpose in calling was to invite you to make an appointment with Cardinal Mahony, as I suggested in my letter and as you indicated you would favor in yours. You can do that by calling the Cardinal's priestly secretary, Monsignor [REDACTED]
[REDACTED]

Thank you very much.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

cc: Cardinal Roger Mahony

25146

JAN-09-96 TUE 14:01

DIRECTOR' WHITTIER

FAX NO. REDACTED

P. 01/03



Stronger Than Ever Together

REDACTED

TO

DATE 1/4/95

FROM REDACTED

NUMBER OF PAGES INCLUDING COVER SHEET

REMARKS Re: Verification of employment

for Mr. REDACTED

Please Rush Very Important
Home Loan Lending.



ARCHDIOCESE OF LOS ANGELES
OFFICE OF VICAR FOR CLERGY
(213) 251-3284

1/25/95

To: Msgr. Dyer

From: ~~_____~~

Re: Jose Ugarte

Last September we asked Payroll to get us cancelled checks of Jose Ugarte from when we reinstated him on Payroll retroactively in April 1994 -- to date.

Today, more than four months later, we got them--up to September 1994!

They are attached, along with our memo requesting them.

I have called Payroll and asked that they please send us the same to cover the months of October, November, and December 1994! They indicated they are able to get this more quickly now.

HOWEVER--do we need to keep on getting these for as long as he remains on Payroll?

Yes _____ No ☒

Ph.D.

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES

1531 W. 9TH
LOS ANGELES, CA 90015

16-66
1220

No. 09647

PAYROLL CHECK

9647	Q776					4-4-94	**3480.00**
Check Number	Co. I.D.	Department	I.D. Number	File No.	Soc. Sec. No.	Pay Date	Net Pay
Pay This Amount							
THREE THOUSAND FOUR HUNDRED EIGHTY DOLLARS & NO/100*****							

BANK OF AMERICA NT&SA
OLYMPIC-UNION BRANCH 0309
1605 WEST OLYMPIC BLVD.
P. O. BOX 57910
LOS ANGELES, CA 90057

REDACTED

PAY
To The
Order
Of
JOSE I. UGARTE

REDACTED

⑈0000348000⑈

REDACTED

REDACTED

8171-44
22000001

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE @ C VIEW

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES
215 N. 1ST STREET, LOS ANGELES, CA 90015

NO. 676872

676872	0778	A133112	3258
Check Number	Ch. ID.	Department	File No.

REDACTED

PAYROLL CHECK


SIX HUNDRED NINETY SIX DOLLARS AND 00 CENTS

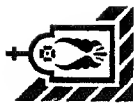
Pay to the order of: JOSE UGARTE

\$ *****696.00*

REDACTED

REDACTED


Bank of America
Official Bank Check Operations
1435 Market St., San Francisco, CA 94107



COPY

MEMORANDUM

June 22, 1995

TO: [REDACTED], Insurance

FROM: [REDACTED] Office of Vicar for Clergy

RE: REV. JOSE UGARTE

EFFECTIVE JULY 1, 1995:

Please REMOVE Rev. Jose Ugarte from RETA coverage as of July 1, 1995.
Issue COBRA to him.

Rev. Jose Ugarte
[REDACTED]

Many thanks.

25095

XXXIII 000722



COPY

MEMORANDUM

June 22, 1995

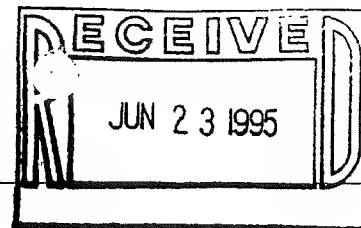
TO: [REDACTED], PAYROLL ASSISTANT
FROM: [REDACTED], OFFICE OF VICAR FOR CLERGY
RE: REV. JOSE UGARTE (on Priests Payroll)

EFFECTIVE JULY 1, 1995:

Please REMOVE Rev. Jose Ugarte from your Priests Payroll effective July 1, 1995.

Many thanks.

cc: [REDACTED]
[REDACTED]



MEMORANDUM

MEMO: June 23, 1995
TO: Monsignor Tim Dyer
FROM: ~~Mr. [REDACTED]~~
RE: Fr. Jose Ugarte

Mr. ~~[REDACTED]~~ at St. Pius X, mentioned to me that Fr. Ugarte is continuing to receive many young people at his cabin in Big Bear. Supposedly, Fr. Ugarte has promised one of the youth leaders that he will preside at his wedding in September.

In Presentation parish, the "Big Four" are continuing to have home visitations with present and former prayer group members. Otherwise the prayer group is doing fine.



Request for Verification of Employment

Privacy Act Notice: This information is to be used by the agency collecting it or its assignees in determining whether you qualify as a prospective mortgagor under its program. It will not be disclosed outside the agency except as required and permitted by law. You do not have to provide this information, but if you do not your application for approval as a prospective mortgagor or borrower may be delayed or rejected. The information requested in this form is authorized by Title 38, USC, Chapter 37 (if VA); by 12 USC, Section 1701 et. seq. (if HUD/FHA); by 42 USC, Section 1452b (if HUD/CPD); and Title 42 USC, 1471 et. seq., or 7 USC, 1921 et. seq. (if USDA/FmHA).

Instructions: Lender - Complete items 1 through 7. Have applicant complete item 8. Forward directly to employer, named in item 1.
Employer - Please complete either Part II or Part III as applicable. Complete Part IV and return directly to lender named in item 2.
The form is to be transmitted directly to the lender and is not to be transmitted through the applicant or any other party.

Part I - Request

1. To (Name and address of employer)

ARCHIDIOCE OF LOS ANGELES
1531 W. 9TH STREET
LOS ANGELES, CA., 90015
ATTN: Personnel Department

2. From (Name and address of lender)

DIRECTORS MORTGAGE LOAN CORPORATION
16163 EAST WHITTIER BLVD.
WHITTIER, CA 90603
310-943-7274

I certify that this verification has been sent directly to the employer and has not passed through the hands of the applicant or any other interested party.

REDACTED

4. Title

LOAN PROCESSOR

5. Date

07/03/95

6. Lender's Number (Optional)

7067789 WHT

as formerly employed by you. My signature below authorizes verification of this information.

7. Name and Address of Applicant (include employee or badge number)

UGARTE, JOSE IGNACIO
REDACTED

REDACTED

8. Signature of Applicant

X See Attached

Part II - Verification of Present Employment

9. Applicant's Date of Employment

10. Present Position

11. Probability of Continued Employment

Exact Date:

12A. Current Gross Base Pay (Enter Amount and Check Period)

☐ Annual ☐ Hourly
☐ Monthly ☐ Other (Specify)
☐ Weekly ☐ Bi-Weekly

13. For Military Personnel Only

Pay Grade
Type Monthly Amount
Base Pay \$

14. If Overtime or Bonus is Applicable, Is its Continuance Likely?

Overtime Yes ☐ No ☐
Bonus Yes ☐ No ☐

12B. Gross Earnings

Type	Year To Date	Past Year 19	Past Year 19	Rations	\$
Base Pay	Thru 19	\$	\$	Flight or Hazard	\$
Overtime	\$	\$	\$	Clothing	\$
Commissions	\$	\$	\$	Quarters	\$
Bonus	\$	\$	\$	Pro Pay	\$
Total	\$	\$	\$	Overseas or Combat	\$
				Variable Housing Allowance	\$

15. If paid hourly - average hours per week

16. Date of applicant's next pay increase

17. Projected amount of next pay increase

18. Date of applicant's last pay increase

19. Amount of last pay increase

20. Remarks (If employee was off work for any length of time, please indicate time period and reason)

Part III - Verification of Previous Employments

21. Date Hired

23. Salary/Wage at Termination Per (Year) (Month) (Week)

22. Date Terminated

Base

Overtime

Commissions

Bonus

24. Reason for Leaving

25. Position Held

Part IV - Authorized Signature - Federal statutes provide severe penalties for any fraud, intentional misrepresentation, or criminal connivance or conspiracy purposed to influence the issuance of any guaranty or insurance by the VA Secretary, the U.S.D.A., FmHA/FHA Commissioner, or the HUD/CPD Assistant Secretary.

26. Signature of Employer

27. Title (Please print or type)

28. Date

29. Print or type name signed in Item 26

30. Phone No.

195007

CONFIDENTIAL

MEMORANDUMJune 24, 1995

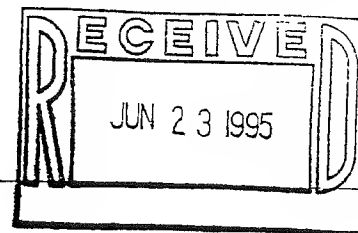
TO: Msgr. [REDACTED]
FROM: Father Timothy Dyer ^{TD}
RE: Fr. Ugarte

Attached is a memo from Fr. [REDACTED] which I requested for the file. I have asked Accounting to continue Fr. Ugarte's salary and have notified insurance to keep him enrolled in RETA -- I had previously ordered that both salary and insurance be discontinued after June 30.

There is need to bring this to conclusion as soon as possible. This priest is making fools out of all of us involved in his case by: making promises, not keeping them; disregarding the explicit instructions of his Ordinary; not communicating with his Canonical Advocate nor this Office and, all the while, continuing to be supported by the Archdiocese.

195113

XXXIII 000731



MEMORANDUM

MEMO: June 23, 1995
TO: Monsignor Tim Dyer
FROM: ~~Fr. Jose Ugarte~~ JC
RE: Fr. Jose Ugarte

~~Fr. Jose Ugarte~~ mentioned to me that Fr. Ugarte is continuing to receive many young people at his cabin in Big Bear. Supposedly, Fr. Ugarte has promised one of the youth leaders that he will preside at his wedding in September.

In Presentation parish, the "Big Four" are continuing to have home visitations with present and former prayer group members. Otherwise the prayer group is doing fine.

195114

XXXIII 000732



COPY

MEMORANDUM

PRIORITY

PRIORITY

June 24, 1995

TO: [REDACTED], PAYROLL ASSISTANT
FROM: [REDACTED], OFFICE OF VICAR FOR CLERGY
RE: REV. JOSE UGARTE

PLEASE DISREGARD MEMO OF JUNE 22 REGARDING REV. JOSE UGARTE.

DO NOT REPEAT DO NOT REMOVE FATHER UGARTE FROM PRIESTS PAYROLL AT THIS TIME.

I APOLOGIZE DEEPLY FOR THE APPARENT CONFUSION AND HAVE TO TELL YOU THAT THIS OFFICE IS NOT TO BLAME FOR IT.

AGAIN, PLEASE LEAVE REV. JOSE UGARTE ON PRIESTS PAYROLL UNTIL FURTHER NOTICE.

MANY THANKS.

cc: [REDACTED]
[REDACTED]

DO NOT, HOWEVER,
include with priests
getting the \$100
monthly increase
as of 7/1.

MEMORANDUMJuly 1, 1995

TO: Cardinal Mahony
 FROM: Father Timothy Dyer TD
 RE: Fr. Jose Ugarte

Attached is a draft letter to Fr. Ugarte prepared by Msgr. [REDACTED]

I informed Msgr. [REDACTED] last week that, having heard nothing from Fr. Ugarte nor his Advocate, I find it intolerable that we continue to pay a monthly stipend and health insurance benefit for this priest.

The latest report from Fr. [REDACTED] indicates that the entire Spanish speaking Young Adult group at Pius X parish remains under the influence of Fr. Ugarte and that groups of young people continue to frequent the mountain cabin in Big Bear.

If you wish to send the letter here attached, I will assist in getting the names and places which are missing in this draft.

*yes - note one small - but important -
 change -*

to proceed -

+ Rkh

7-13-95

July 11, 1995

DRAFT

Rev. Jose I. Ugarte

[REDACTED]
[REDACTED]
[REDACTED] 92211-0655

Dear Father Ugarte:

As you are aware, on December 8, 1994, a hearing was held in my office to investigate whether you incurred the automatic excommunication provided by canon 1378, §1. At that hearing, we also discussed the precept issued to you on July 30, 1994. Despite the signed receipt for certified mail, *signed by you personally*, you indicated never receiving that precept. A copy of it was provided to you immediately after the December 8 hearing.

Subsequent to that hearing, I chose not to bring the matter to a close because there seemed some hope of a negotiated agreement that would fulfill my responsibilities as chief shepherd of the People of God in Los Angeles. Pursuing such a settlement was in accord with canon 1341 which requires that penalties be imposed or declared only as a last resort.

Since that time, however, over six months have passed without any agreement. I have been very patient, but to allow more time to pass would be a dereliction of my responsibilities. For that reason, I have decided to resume the penal process and bring it to a definitive conclusion unless a satisfactory settlement has been agreed upon by **August 1, 1995**.

Based on indications which your advocate, Father [REDACTED], has presented to us, I have drafted a proposed agreement which is enclosed. I ask that you consult with Father [REDACTED] immediately so that an agreement can be finalized by August 1.

You continue to be in my prayers.

Sincerely yours in Christ,

Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: Rev. David L. Decker, S.J.

194713

**Agreement between Cardinal Roger Mahony, Archbishop of Los Angeles
and Reverend Jose I. Ugarte**

Introduction:

At the time this agreement is entered, Reverend Jose I. Ugarte is an incardinated priest of the Archdiocese of Los Angeles who has no ecclesiastical office. The faculties of Father Ugarte were revoked in a decree dated March 17, 1994. No recourse was taken against that revocation. In addition, a precept was imposed on Reverend Ugarte on July 30, 1994, enjoining him from a number of specific activities.

Agreement:

I, Reverend Jose I. Ugarte, agree to:

- 1) Leave the United States and take up permanent residence in _____, Spain, no later than September 15, 1995.
- 2) Not to return to the United States without the express and written authorization of the Archbishop of Los Angeles for a period of seven years, ending September 15, 2002.
- 3) After September 15, 2002, not to return to the Archdiocese of Los Angeles without the express written authorization of the Archbishop of Los Angeles.
- 4) To conduct no public or private ministry in Spain other than a Mass at home for immediate members of my family, complying fully with the restrictions on any public ministry involved in the decree revoking my faculties of March 17, 1994, and the precept of July 30, 1994.
- 5) To report to ~~Cardinal~~, *what was the name of the person/institution in Spain?*
- 6) To maintain contact with Bishop _____, of the Diocese of _____, and abide by any further directions he may issue.
- 7) To secure employment in a secular occupation in order to become self-supporting.

I, Cardinal Roger M. Mahony, Archbishop of Los Angeles, agree to:

- 1) Close the penal procedure initiated by my decree of July 19, 1994, without any formal declaration that the penalty of excommunication was incurred.
- 2) Write the Congregation for the Doctrine of the Faith, reporting on the situation and this agreement and asking that, in light of this agreement, that the Congregation remit the censure of excommunication insofar as it might have been incurred.
- 3) Continue to keep Reverend Jose I. Ugarte on the medical insurance plan of the

Archdiocese of Los Angeles indefinitely.

- 4) Provide Reverend Jose I. Ugarte with a monthly stipend of \$400.00 from the date of this agreement through December 1996. After that time, no further stipend will be provided and Father Ugarte will be expected to support himself.
- 5) To inform Bishop _____ of the Diocese of _____, of the status of Father Ugarte, of the terms of this agreement, seeking his assistance in monitoring that its provisions are fulfilled.

The terms of this agreement are fully binding and can only be modified by a mutual and written agreement between Father Ugarte and the Archbishop of Los Angeles. Should Father Ugarte fail to abide by its provisions, that failure shall be deemed a violation of his obligation of priestly obedience (canon 273) and will subject him to the possibility of ecclesiastical penalties under the provision of canon 1371, 2º.

Rev. Jose I. Ugarte

Cardinal Roger M. Mahony

Witness

Witness

COPY

MEMORANDUMJune 24, 1995

TO: Msgr. [REDACTED]
FROM: Father Timothy Dyer (1)
RE: Fr. Ugarte

Attached is a memo from Fr. [REDACTED] which I requested for the file. I have asked Accounting to continue Fr. Ugarte's salary and have notified insurance to keep him enrolled in RETA -- I had previously ordered that both salary and insurance be discontinued after June 30.

There is need to bring this to conclusion as soon as possible. This priest is making fools out of all of us involved in his case by: making promises, not keeping them; disregarding the explicit instructions of his Ordinary; not communicating with his Canonical Advocate nor this Office and, all the while, continuing to be supported by the Archdiocese.

194716

XXXIII 000740

July 11, 1995

DRAFT

Rev. Jose I. Ugarte

[REDACTED]

[REDACTED]

[REDACTED]

Dear Father Ugarte:

As you are aware, on December 8, 1994, a hearing was held in my office to investigate whether you incurred the automatic excommunication provided by canon 1378, §1. At that hearing, we also discussed the precept issued to you on July 30, 1994. Despite the signed receipt for certified mail, *signed by you personally*, you indicated never receiving that precept. A copy of it was provided to you immediately after the December 8 hearing.

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Since that time, however, over six months have passed without any agreement. I have been very patient, but to allow more time to pass would be a dereliction of my responsibilities. For that reason, I have decided to resume the penal process and bring it to a definitive conclusion unless a satisfactory settlement has been agreed upon by **August 1, 1995**.

Based on indications which your advocate, Father [REDACTED], has presented to us, I have drafted a proposed agreement which is enclosed. I ask that you consult with Father [REDACTED] immediately so that an agreement can be finalized by August 1.

You continue to be in my prayers.

Sincerely yours in Christ,

Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: [REDACTED]

25321

XXXIII 000742



COPY

MEMORANDUM

July 19, 1995

TO: MONSIGNOR [REDACTED], JUDICIAL VICAR
FROM: LOIS, OFFICE OF VICAR FOR CLERGY
RE: ATTACHED (UGARTE DECREE)

Before he left on vacation, Monsignor Dyer gave me the following written instruction:

Please call Msgr. [REDACTED] and inform him of the change of one phrase by Cardinal (p. 1) and ask him to correct it--as he's got the letter on disc--and can send you the corrected copy for Cardinal's signature and mailing.

I was away at that time, and since you are away now, I am sending this all over to await your return.

I note that in his memo to the Cardinal, Monsignor Dyer wrote he would assist in getting names and places now missing in the draft of the agreement. He will be back in the office on July 24 and can perhaps do that then. I am putting the originals in a priority folder for him--including copy of this memo.

With thanks for your patience and help.

MEMORANDUMJuly 1, 1995

TO: Cardinal Mahony
 FROM: Father Timothy Dyer TD
 RE: Fr. Jose Ugarte

Attached is a draft letter to Fr. Ugarte prepared by Msgr. [REDACTED]

I informed Msgr. [REDACTED] last week that, having heard nothing from Fr. Ugarte nor his Advocate, I find it intolerable that we continue to pay a monthly stipend and health insurance benefit for this priest.

The latest report from Fr. [REDACTED] indicates that the entire Spanish speaking Young Adult group at Pius X parish remains under the influence of Fr. Ugarte and that groups of young people continue to frequent the mountain cabin in Big Bear.

If you wish to send the letter here attached, I will assist in getting the names and places which are missing in this draft.

*yes - note are small - but important -
 change -*

let's proceed -

+ Rkh

7-13-95

195117



FILE COPY

MEMORANDUM

TO: Tim

FROM: [REDACTED]

RE: Rev. Jose Ugarte

DATE: 24 July 1995

While you were away, [REDACTED] sent me the memo with the Cardinal's request for a revision of the draft letter to Jose Ugarte. Enclosed is the revised text on his letterhead. I have dated it for the end of the week, since it is my understanding that the Cardinal is out of town until the weekend.

Because of the time that elapsed since I prepared that draft, I have adapted the deadlines, maintaining the standard of a three-week period which was the basis for the deadlines in the original draft.

This letter should be sent with return receipt requested. Please be sure Father [REDACTED] is also sent a copy.

In the meantime, could you have [REDACTED] obtain for us at least some testimony, under oath, that Father Ugarte is still resident in Big Bear and that he still conducts "retreats" or other sorts of activities there? [REDACTED] can check with me for details. We don't need a lot, but if the penal procedure needs to go forward I want us to also have some evidence that he is violating the precept.

Thanks.

195115

CONFIDENTIALMEMORANDUMJuly 28, 1995

TO: Cardinal Mahony
FROM: Father Timothy Dyer ^{TD}
RE: Fr. Ugarte

Msgr. [REDACTED] has prepared the attached letter for your signature. Note that he has made the correction you asked for in paragraph one. Attached to the letter is the "proposed agreement". I have not filled in the blanks as I am not sure what diocese Fr. Ugarte might return to and I would suggest it be written in a generic way, eg. "the bishop of the diocese in which he resides." Or, you may wish to use the Diocese of Vitoria where Fr. Ugarte attended the Seminary and from which we have a report from the present Vicar General: Msgr. Fernando Gonzalo-Bilbao.

As indicated, a copy needs to be sent to [REDACTED].

This letter needs to be sent by registered mail with return receipt requested. Please let me know if you wish me to facilitate this; otherwise, I will presume that your Office will handle it from this point.

MEMORANDUMJuly 28, 1995

TO: [REDACTED]
FROM: Father Timothy Dyer TD.
RE: Fr. Ugarte

Greetings on your return home! Hope you had some time for rest and leisure.

In the matter of Fr. Ugarte, the Cardinal is going to proceed with the penalty phase of the canonical process. He has asked Msgr. [REDACTED] to prepare the needed letters and materials. Msgr. [REDACTED], in turn, has contacted me to ask that you obtain for us at least some testimony, under oath, that Fr. Ugarte is still resident in Big Bear and that he still conducts "retreats" or other sorts of activities there. [REDACTED] said to tell you that you can contact him for "details" in obtaining this testimony.

Since the time we last spoke, I have not contacted [REDACTED]. If, in speaking to him about testimony, you think it wise for me to be present with you -- I will do so at your and his convenience.

Many thanks, [REDACTED]

7/28

1st 3 TP's —
taken care of by Roman
mens in this packet.

TP 4 — for the
mens in this packet to

Pine.
77

194708

XXXIII 000754

ED UGARTE CASE

REDACTED

My memo to
is self explanatory.

I am returning the
sheaf to you because
there is info on the
agreement itself to be
filed in.

REDACTED

✓
see my
7/20 memo

194710



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

July 30, 1995

Rev. Jose I. Ugarte

[REDACTED]
[REDACTED]
[REDACTED]

Dear Father Ugarte:

As you are aware, on December 8, 1994, a hearing was held in my office to investigate whether you incurred the automatic excommunication provided by canon 1378, §1. At that hearing, we also discussed the precept issued to you on July 30, 1994. Despite the receipt for certified mail signed by you personally, you indicated never receiving that precept. A copy of it was provided to you immediately after the December 8 hearing.

Subsequent to that hearing, I chose not to bring the matter to a close because there seemed some hope of a negotiated agreement that would fulfill my responsibilities as chief shepherd of the People of God in Los Angeles. Pursuing such a settlement was in accord with canon 1341 which requires that penalties be imposed or declared only as a last resort.

Since that time, however, over six months have passed without any agreement. I have been very patient, but to allow more time to pass would be a dereliction of my responsibilities. For that reason, I have decided to resume the penal process and bring it to a definitive conclusion unless a satisfactory settlement has been agreed upon by August 21, 1995.

Based on indications which your advocate, [REDACTED], has presented to us, I have drafted a proposed agreement which is enclosed. I ask that you consult with Father [REDACTED] immediately so that an agreement can be finalized by August 21.

You continue to be in my prayers.

Sincerely yours in Christ,

+ *Roger Carl Mahony*
Cardinal Roger M. Mahony
Archbishop of Los Angeles

[REDACTED]

194699

AGREEMENT BETWEEN CARDINAL ROGER MAHONY, ARCHBISHOP OF LOS ANGELES
AND REVEREND JOSE I. UGARTE

Introduction:

At the time this agreement is entered, Reverend Jose I. Ugarte is an incardinated priest of the Archdiocese of Los Angeles who has no ecclesiastical office. The faculties of Father Ugarte were revoked in a decree dated March 17, 1994. No recourse was taken against that revocation. In addition, a precept was imposed on Reverend Ugarte on July 30, 1994, enjoining him from a number of specific activities.

Agreement:

I, Reverend Jose I. Ugarte, agree to:

- 1) Leave the United States and take up permanent residence in Spain no later than September 30, 1995.
- 2) Not to return to the United States without the express and written authorization of the Archbishop of Los Angeles for a period of seven years, ending September 15, 2002.
- 3) After September 15, 2002, not to return to the Archdiocese of Los Angeles without the express written authorization of the Archbishop of Los Angeles.
- 4) To conduct no public or private ministry in Spain other than a Mass at home for immediate members of my family, complying fully with the restrictions on any public ministry involved in the decree revoking my faculties of March 17, 1994, and the precept of July 30, 1994.
- 5) To report to Reverend Monsignor Fernando Gonzalo-Bilbao y Fernandez, Vicar General of the Diocese of Vitoria in Spain, for regular supervision.
- 6) To maintain contact with Bishop Jose Maria Larrauri Lafuente, of the Diocese of Vitoria in Spain, and abide by any further directions he may issue.
- 7) To secure employment in a secular occupation in order to become self-supporting.

I, Cardinal Roger M. Mahony, Archbishop of Los Angeles, agree to:

- 1) Close the penal procedure initiated by my decree of July 19, 1994, without any formal declaration that the penalty of excommunication was incurred.

- 2) Write the Congregation for the Doctrine of the Faith, reporting on the situation and this agreement and asking that, in light of this agreement, the Congregation remit the censure of excommunication insofar as it might have been incurred.
- 3) Continue to keep Reverend Jose I. Ugarte on the medical insurance plan of the Archdiocese of Los Angeles indefinitely.
- 4) Provide Reverend Jose I. Ugarte with a monthly stipend of \$400 beginning with the calendar month immediately following the signing of this agreement through December 1996. After that time, no further stipend will be provided, and Father Ugarte will be expected to support himself.
- 5) To inform Bishop Jose Maria Larrauri Lafuente of the Diocese of Vitoria of the status of Father Ugarte, of the terms of this agreement, seeking his assistance in monitoring that its provisions are fulfilled.

The terms of this agreement are fully binding and can only be modified by a mutual and written agreement between Father Ugarte and the Archbishop of Los Angeles. Should Father Ugarte fail to abide by its provisions, that failure shall be deemed a violation of his obligation of priestly obedience (canon 273) and will subject him to the possibility of ecclesiastical penalties under the provision of canon 1371-(2).

Rev. Jose I. Ugarte

Date

Cardinal Roger M. Mahony

Date

Witness

Date

Witness

Date

P 054 289 655

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982
* U.S.G.P.O. 1984-446-014

Sent to Rev. Jose Ugarte	
REDACTED	
Postage	\$
Certified Fee	1.65
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	110
TOTAL Postage and Fees	\$ 307
Postmark or Date E.O 8/02/95	

194928


STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST-CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article. **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

194929

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: Rev. Jose L. Ugarte REDACTED	4. Article Number P 054 289 655 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid) 
6. Signature — Agent X <i>Jose L. Ugarte</i>	
7. Date of Delivery	

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

194930


UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

U.S. MAIL

PENALTY FOR PRIVATE USE \$300

RETURN TO 

Print Sender's name, address, and ZIP Code in the space below.

CARDINAL ROGER MAHONY

1531 WEST NINTH ST

LOS ANGELES CA 90015

194931

194931

Julio 31, 1995

Su Eminencia Rogelio Cardenal Mahony
1531 W. Ninth St.
L.A., CA 90015

Estimado Cardenal Mahony,

Con constancia pido al Señor que El llene todo su ser de santidad y de justicia, colmándole de la paz de su Espíritu.

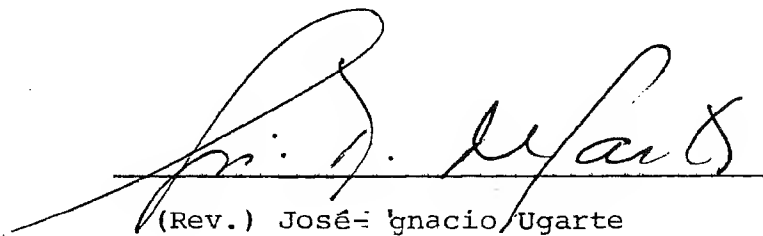
Le envío la presente para comunicarle que, como acostumbro regularmente, planeo pasar el mes de Agosto en compañía de mi madre enferma y del resto de mi familia y seres queridos, en mi tierra natal, España.

Regresaré, Dios mediante, a finales de Agosto.

Es mi deseo sincero que Su Eminencia disponga de un tiempo saludable veraniego.

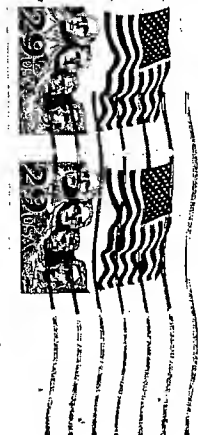
Es también mi deseo que el Señor lo bendiga siempre, para que el Espíritu del Señor lo llene de sus dones y dirija a su rebaño, especialmente a los pobres y abandonados, con sabiduría y prudencia.

Suyo en Cristo-Sacerdote,



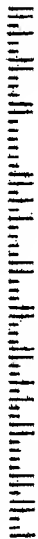
(Rev.) José Ignacio Ugarte

Rev. José-Ignacio Ugarte
P.O. BOX 853
B.B.C., CA 92314



Rev. Eminencia Rogelio Cardinal Mahony
1531 W. Ninth St.
L.A., CA 90015

uu uu



25306

XXXIII 000776

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Mrs Dye/Loomis DATE: 8-1-95

- ☐ Please REVIEW, then SEE ME
☐ Please REVIEW, then RETURN to me
☐ Please REVIEW, then SEND me your COMMENTS
☒ Please REVIEW, then FILE

☐ Please HANDLE this matter ENTIRELY
☐ Please ANSWER; send copy of letter to me
☐ Please WRITE A REPLY for my signature
☒ For your INFORMATION
☐ Please XEROX - FAX and send copy/copies to:

Original to: ☐ file ☐ back to me ☐

REMARKS:

My formal letter went out today - I hope he gets it!

Thanks!

OATH

8/10/95

1. Full Name
2. Date of Birth
3. Religion
4. I.C. - verify the identity
5. How do you know Fr. Ugarte
6. Where does Fr. Ugarte presently reside?
7. How do you know this?
8. How long has he been living there?
9. To your knowledge, has he been living there consistently since December of 1994?
10. Are you aware of Fr. Ugarte engaging in any sort of ministry at his place in Big Bear?
11. If so, what forms of ministry is he involved with?
 - retreats
 - spiritual direction
 - Individual/group
12. How do you know?
13. Have you any knowledge of specifically sacramental ministry? (Eucharist, confession, weddings?
- 13-A Upcoming wedding?
14. Has Fr. Ugarte had any ongoing contacts with people in parishes?
15. If so, please briefly describe with whom and what the names of those contacts has been?
16. Intimidation factor - reflect
 - spies
 - Fears
17. Add

RE: Reverend Jose I. Ugarte

OATH

I have read the transcript of the testimony that I provided on August 18, 1995 before
 REDACTED REDACTED in the City of Los
Angeles, California. I affirm that it is an accurate record of my testimony. I swear that it
 is the truth, the whole truth, and nothing but the truth, so help me God.

REDACTED

REDACTED

REDACTED
 REDACTED

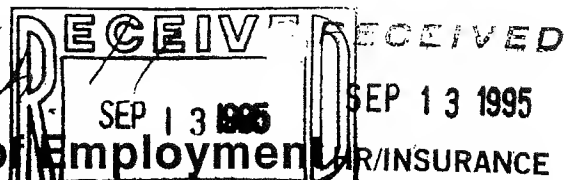
REDACTED

August 18, 1995

Date of Review



Joan F. Linding
Please Rush



Request for Verification of Employment/INSURANCE

Privacy Act Notice: This information is to be used by the agency collecting it or its assignees in determining whether you qualify as a prospective mortgagor under its program. It will not be disclosed outside the agency except as required and permitted by law. You do not have to provide this information, but if you do not your application for approval as a prospective mortgagor or borrower may be delayed or rejected. The information requested in this form is authorized by Title 38, USC, Chapter 37 (if VA); by 12 USC, Section 1701 et. seq. (if HUD/FHA); by 42 USC, Section 1452b (if HUD/CPD); and Title 42 USC, 1471 et. seq., or 7 USC, 1921 et. seq. (if USDA/FmHA).

Instructions: Lender - Complete items 1 through 7. Have applicant complete item 8. Forward directly to employer, named in item 1.
Employer - Please complete either Part II or Part III as applicable. Complete Part IV and return directly to lender named in item 2.
The form is to be transmitted directly to the lender and is not to be transmitted through the applicant or any other party.

Part I - Request

1. To (Name and address of employer)

ARCHDIOCE OF LOS ANGELES
1531 W. 9TH STREET
LOS ANGELES, CA., 90015

ATTN: Personnel Department

2. From (Name and address of lender)

NORWEST MORTGAGE, INC., A CALIFORNIA CORPORATION
16163 EAST WHITTIER BLVD.

WHITTIER, CA 90603

310-943-7274

I certify that this verification has been sent directly to the employer and has not passed through the hands of the applicant or any other interested party.

3. Signature of Lender

REDACTED

4. Title

LOAN PROCESSOR

5. Date

09/07/95

6. Lender's Number (Optional)

7067789 WHT

as formerly employed by you. My signature below authorizes verification of this information.

7. Name and Address of Applicant (Include employee or badge number)

UGARTE, JOSE IGNACIO
REDACTED

REDACTED

8. Signature of Applicant

X

Part II - Verification of Present Employment

9. Applicant's Date of Employment

10. Present Position

11. Probability of Continued Employment

Exact Date:

12A. Current Gross Base Pay (Enter Amount and Check Period)

☐ Annual
☐ Monthly
☐ Weekly

☐ Hourly
☐ Other (Specify)
☐ Bi-Weekly

\$

12B. Gross Earnings

Type	Year To Date	Past Year 19	Past Year 19
	Thru 1995	94	93
✓ Base Pay	\$	\$	\$
✓ Overtime	\$	\$	\$
✓ Commissions	\$	\$	\$
✓ Bonus	\$	\$	\$
✓ Total	\$	\$	\$

13. For Military Personnel Only

Pay Grade

Type

Monthly Amount

Base Pay

\$

Rations

\$

Flight or

\$

Hazard

\$

Clothing

\$

Quarters

\$

Pro Pay

\$

Overseas or

\$

Combat

\$

Variable Housing

\$

Allowance

\$

14. If Overtime or Bonus is Applicable, Is Its Continuance Likely?

Overtime Yes ☐ No ☐
Bonus Yes ☐ No ☐

15. If paid hourly - average hours per week

16. Date of applicant's next pay increase

17. Projected amount of next pay increase

18. Date of applicant's last pay increase

19. Amount of last pay increase

20. Remarks (If employee was off work for any length of time, please indicate time period and reason)

25078

Part III - Verification of Previous Employments

21. Date Hired

23. Salary/Wage at Termination Per (Year) (Month) (Week)

22. Date Terminated

Base

Overtime

Commissions

Bonus

24. Reason for Leaving

25. Position Held

Part IV - Authorized Signature - Federal statutes provide severe penalties for any fraud, intentional misrepresentation, or criminal connivance or conspiracy purposed to influence the issuance of any guaranty or insurance by the VA Secretary, the U.S.D.A., FmHA/FHA Commissioner, or the HUD/CPD Assistant Secretary.

26. Signature of Employer

27. Title (Please print or type)

28. Date

29. Print or type name signed in item 26

30. Phone No.

Corporation

DIRECTORS

Mortgage Bankers

CONSENT

I/We hereby give my/our consent to have DIRECTORS MORTGAGE LOAN CORPORATION, or any credit reporting bureau which it may designate, obtain any and all information concerning my/our employment, checking and/or savings account, obligations, and all other credit matters which they may require in connection with my/our application for a loan. This form may be reproduced or photocopied and a copy shall be as effective consent as the original which I/we have signed.


 Borrower

 Borrower

 Borrower

 Borrower

FAIR CREDIT REPORTING ACT

I/We understand that, as part of assembling my/our loan application, Directors Mortgage Loan Corporation will request a consumer report bearing my/our credit worthiness, credit standing and credit capacity. This notice is given to me/us pursuant to the Fair Credit Reporting Act of 1970, Section 601, Inclusive. I/We am/are entitled to such information within 60 days of written demand therefore made to the Credit Reporting Agency Pursuant to Section 606(b) of the Fair Credit Reporting Act.

PRIVACY ACT NOTICE: (Notice to Borrowers) This is notice to you as required by the Right to Financial Privacy Act of 1978 that HUD/FHA has a right of access to financial records held by financial institutions in connection with the consideration or administration of assistance to you. Financial records involving your transaction will be available to HUD/FHA without further notice or authorization but will not be disclosed or released by this institution to another Government Agency or Department without your consent except as required or permitted by law. The information requested in this form is authorized by Title 38 USC, Chapter 37 (If VA); by 12 USC, Section 1701 et seq. (If HUD/FHA); by 42 USC, Section 1452b (If HUD/CPD); and Title 42 USC, 1471 et seq. or 7 USC, 1921 et seq. (If USDA/FmHA).



☐ **Delaware Office**
New Castle Corporate Commons
92 Read's Way, Suite 100
New Castle, DE 19720
(302) 322-7900 Fax: (302) 322-9255
(800) 827-9452 Fax: (800) 827-9456

☐ **Phoenix Office**
2400 N. 14th Street, Suite 400
Phoenix, AZ 85008
(602) 912-5060 Fax: (800) 755-7329
(800) 755-7328

☐ **Sacramento Office**
9342 Tech Center Drive, Suite 600
Sacramento, CA 95826
(916) 366-1616 Fax: (800) 473-2948
(800) 473-2947

☐ **Illinois Office**
387 Shuman, Suite 10E
Naperville, IL 60563
(708) 420-7585 Fax: (708) 420-9076
(800) 944-0658 Fax: (800) 447-9532

☒ **Yorba Linda Office**
24855 Corbit Place, Suite B
Yorba Linda, CA 92687
(714) 692-0227 (800) 676-3338
☒ Fax: (800) 800-0451
☒ Fax: (800) 586-9337
☒ Fax: (800) 634-7197
☒ Fax: (800) 477-7345

Archdiocese of LA
1531 W. 9th St
Los Angeles, Ca 90015

Date 9/11/95 File # 2583149 ☐

Name JOSE IGNACIO UGENTE

AKA - REDACTED

Address -

City / State - REDACTED
SS #

9) REDACTED

Company Representative,

Informative Research is a nationwide mortgage credit reporting company compiling confidential credit reports for various mortgage lenders. The above named person, our customer, has applied for such a loan and has given their consent to verify (☒ current ☐ prior ☐ part time) employment.

A self addressed stamped envelope is enclosed for your convenience in replying to our request. Please return this request form with the following information:

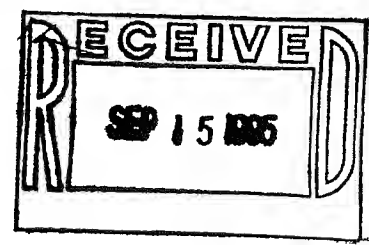
Dates of Employment	_____		
Latest Position Held	_____		
Salary or Wages	_____	Per <input type="checkbox"/> Week <input type="checkbox"/> Month <input type="checkbox"/> Year	
Signature	_____		
Title	_____		

**HOME LOAN PENDING
PLEASE EXPEDITE**

Sincerely,
REDACTED

25081

Informative Research



address of Lender, FHA or V.A. case number, if any, and reasons for the action.)

☐ ☒ ☐ ☐

Have you had an ownership interest in a property in the last three years?

☐ ☒ ☐ ☐

(1) What type of property did you own—principal residence (PR), second home (SH), or investment property (IP)?

(2) How did you hold title to the home—solely by yourself (S), jointly with your spouse (SP), or jointly with another person (O)?

IX. ACKNOWLEDGMENT AND AGREEMENT

The undersigned specifically acknowledge(s) and agree(s) that: (1) the loan requested by this application will be secured by a first or second mortgage or deed of trust on the property described herein; (2) the property will not be used for any illegal or prohibited purpose or use; (3) all statements made in this application are made for the purpose of obtaining the loan indicated herein; (4) occupation of the property will be as indicated above; (5) verification or reverification of any information contained in the application may be made at any time by the Lender, its agents, successors and assigns, either directly or through a credit reporting agency, from any source named in this application, and may transfer forms to FHA, VA, GNMA, private mortgage insurer, investor, and/or any lender that may fund the loan, and the original copy of this application will be retained by the Lender, even if the loan is not approved; (6) the Lender, its agents, successors and assigns will rely on the information contained in the application and I/we have a continuing obligation to amend and/or supplement the information provided in this application if any of the material facts which I/we have represented herein should change prior to closing; (7) in the event my/our payments on the loan indicated in this application become delinquent, the Lender, its agents, successors and assigns, may, in addition to all their other rights and remedies, report my/our name(s) and account information to a credit reporting agency; (8) ownership of the loan may be transferred to successor or assign of the Lender without notice to me and/or the administration of the loan account may be transferred to an agent, successor or assign of the Lender with prior notice to me; (9) the Lender, its agents, successors and assigns make no representations or warranties, express or implied, to the Borrower(s) regarding the property, the condition of the property, or the value of the property.

Certification: I/We certify that the information provided in this application is true and correct as of the date set forth opposite my/our signature(s) on this application and acknowledge my/our understanding that any intentional or negligent misrepresentation(s) of the information contained in this application may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq. and liability for monetary damages to the Lender, its agents, successors and assigns, insurers and any other person who may suffer any loss due to reliance upon any misrepresentation which I/we have made on this application. I/We understand that this does not constitute approval of my/our application and that if my/our application is not approved I/we will be notified.

Borrower's Signature

Date

Co-Borrower's Signature

Date

x *[Signature]*

x

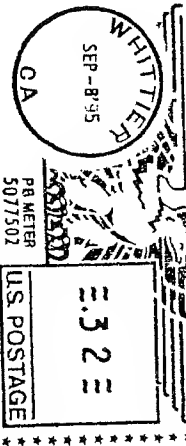
X. INFORMATION FOR GOVERNMENT MONITORING PURPOSES

FROM _____

DIRECTORS

Mortgage Loan Corporation

16163 E. WHITTIER BLVD.
WHITTIER, CA 90603



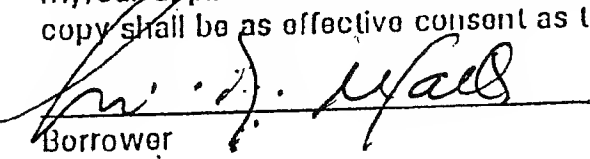
25083

DIRECTORS

Mortgage Bankers

CONSENT

I/We hereby give my/our consent to have DIRECTORS MORTGAGE LOAN CORPORATION, or any credit reporting bureau which it may designate, obtain any and all information concerning my/our employment, checking and/or savings account, obligations, and all other credit matters which they may require in connection with my/our application for a loan. This form may be reproduced or photocopied and a copy shall be as effective consent as the original which I/we have signed.


Borrower

Borrower

Borrower

Borrower

FAIR CREDIT REPORTING ACT

I/We understand that, as part of assembling my/our loan application, Directors Mortgage Loan Corporation will request a consumer report bearing my/our credit worthiness, credit standing and credit capacity. This notice is given to me/us pursuant to the Fair Credit Reporting Act of 1970, Section 601, inclusive. I/We am/are entitled to such information within 60 days of written demand therefore made to the Credit Reporting Agency Pursuant to Section 606(b) of the Fair Credit Reporting Act.

PRIVACY ACT NOTICE: (Notice to Borrowers) This is notice to you as required by the Right to Financial Privacy Act of 1978 that HUD/FHA has a right of access to financial records held by financial institutions in connection with the consideration or administration of assistance to you. Financial records involving your transaction will be available to HUD/FHA without further notice or authorization but will not be disclosed or released by this institution to another Government Agency or Department without your consent except as required or permitted by law. The information requested in this form is authorized by Title 38 USC, Chapter 37 (if VA); by 12 USC, Section 1701 et seq. (if HUD/FHA); by 42 USC, Section 1452b (if HUD/CPD); and Title 42 USC, 1471 et seq. or 7 USC, 1921 et seq. (if USDA/FmHA).

Notes for REDACTED

File:

Re: Father REDACTED

and Father Jose Ugarte

Reported by: REDACTED
REDACTED

in the presence of REDACTED

"Lugar de Sanⁿación" para jóvenes

"Juramentos" for one year: No novia; no musica, baile, fiesta; Entrega completa a Dios

One young man didn't finish his year and wanted to marry and REDACTED said it was a sin that he hadn't completed his alianza and would not marry the couple.

REDACTED 20 yrs.
REDACTED

- 18 yrs.

REDACTED "Papá del grupo" (from a prophecy)

REDACTED "Brazo derecho al Padre REDACTED". Todos tenga celos de REDACTED

REDACTED - "Mamá"
REDACTED

When there's a parish dance - REDACTED says they can't go -- its for worldly people.

Many times have gone to the mountains (Big Bear) for retreat. Father Ugarte gave his card to my daughter, REDACTED. Father Ugarte gives prophecies.

The Apostles (Pastorcitos) - Four young women, Six young men - meet 3-4 times per week, sometimes until 1:00 a.m.

Prohibited (according to REDACTED) to speak about anything that is discussed.

Some are given gifts of prophecy.

Our daughter was told by REDACTED that she was prohibited from prophecy -- for three years and if she dialogued -- she would be plagued with sickness.

Our daughter also was told she could not pray for us, because she could inadvertently put a spell on someone and since she didn't have the gift of exorcism

Once, while praying, they said they prayed for their parents who'd been the ones to hurt them the most.

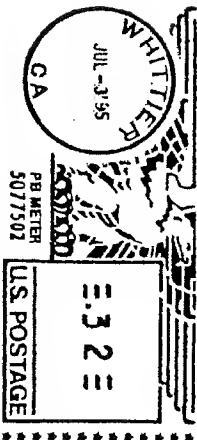
REDACTED will think we (her parents) are the devil -- for being opposed to their community of amor....

FROM _____

DIRECTORS,

Mortgage Loan Corporation

16163 E. WHITTIER BLVD.
WHITTIER, CA 90603



25086

MEMORANDUMSeptember 17, 1995

TO: [REDACTED]
FROM: Father Timothy Dyer
RE: Fr. Ugarte

Please write a brief letter this Loan Processor indicating that Jose Ignacio Ugarte is on Administrative Leave and that his termination is pending. You can also put the amount of the monthly check we are now giving him -- noting that it is subject to be cut off in the near future.

p.s.

If you have advice on this + think the above
is insufficient - p'l's see me.
TD.

Call came in 9/19/95

Information above transmitted

[REDACTED]



COPY

MEMORANDUM

October 11, 1995

TO: MONSIGNOR [REDACTED]
FROM: MONSIGNOR TIMOTHY DYER
RE: REV. JOSE UGARTE

I wish to know if I can now cease issuance of monthly paychecks to Father Ugarte.

I believe you indicated that the next step in the process would be complete by end of October.

Thank you.



COPY

MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 22 November 1995

Since Father Ugarte has not responded to your suggested agreement, it is necessary to resume the penal process and reach a final determination.

Attached is the first draft of a decree declaring that he incurred the automatic penalty. Monsignor Dyer has already reviewed it. While we have to take two steps before we can issue it, I wanted to provide this text for your initial review now. Since it must express our moral certitude, and not that of any other, please review it carefully and forward any suggestions to me.

The two steps that must be completed before concluding the case are as follows:

- 1) We need to give Father Ugarte and his advocate the "last word" in terms of preparing any argument (canon 1725).
- 2) You need to run the acts by the two assessors, [REDACTED] and [REDACTED], for their final analysis. I will prepare a memo to them, which can be sent as soon as Father Ugarte's argument is submitted, or the deadline for him to do so passes.

Attached are letters for you to send to accomplish the first of these tasks. Please do the following:

- a) Review and sign the letters if agreeable to you.
- b) Have two copies of the signed letter to Father Ugarte made, one to be included with the letter to Father [REDACTED] along with the other enclosures, and the other to be returned to me for the official canonical file.
- c) Have one copy of the signed letter to Father [REDACTED] made and returned to me for the official canonical file.

*Memo to Cardinal Mahony
Concerning Father Ugarte
Page 2*

d) Have the letter to Father Ugarte sent return receipt requested.

Thank you for your attention to these matters.

enclosures

cc: Monsignor Timothy Dyer

25303

XXXIII 000794



MEMORANDUM

TO: Cardinal Roger Mahony

FROM: Monsignor [REDACTED]

RE: Reverend Jose I. Ugarte

DATE: 22 November 1995

Since Father Ugarte has not responded to your suggested agreement, it is necessary to resume the penal process and reach a final determination.

Attached is the first draft of a decree declaring that he incurred the automatic penalty. Monsignor Dyer has already reviewed it. While we have to take two steps before we can issue it, I wanted to provide this text for your initial review now. Since it must express our moral certitude, and not that of any other, please review it carefully and forward any suggestions to me.

The two steps that must be completed before concluding the case are as follows:

- 1) We need to give Father Ugarte and his advocate the "last word" in terms of preparing any argument (canon 1725).
- 2) You need to run the acts by the two assessors, [REDACTED] and [REDACTED], for their final analysis. I will prepare a memo to them, which can be sent as soon as Father Ugarte's argument is submitted, or the deadline for him to do so passes.

Attached are letters for you to send to accomplish the first of these tasks. Please do the following:

- OK a) Review and sign the letters if agreeable to you.
- b) Have two copies of the signed letter to Father Ugarte made, one to be included with the letter to Father [REDACTED] along with the other enclosures, and the other to be returned to me for the official canonical file. ✓
- c) Have one copy of the signed letter to Father [REDACTED] made and returned to me for the official canonical file. ✓

195101

*Memo to Cardinal Mahony
Concerning Father Ugarte
Page 2*

- d) Have the letter to Father Ugarte sent return receipt requested.

Thank you for your attention to these matters.

enclosures

cc: Monsignor Timothy Dyer

*certified
mail*

P 054 289 638

195102

XXXIII 000800



COPY

Archdiocese of Los Angeles

Office of
the Archbishop1531
West Ninth
StreetLos Angeles
California
90015-1194

November 22, 1995

[REDACTED]
[REDACTED]
[REDACTED]

Dear Father [REDACTED]

Enclosed is a copy of a letter that I am sending to Reverend Jose I. Ugarte, informing him that in the absence of any follow through on a possible agreement, I have resumed the penal process.

In accord with canon 1725, I have asked him to present any final argument he wishes to have considered before I make a final determination in the matter. As his advocate, I hereby issue the same invitation for you to submit any argument you deem appropriate.

I ask that you present your argument no later than Friday, December 8, 1995. After that date, I will consult with the two assessors in the case, allowing them to review your argument. Subsequent to receiving their counsel, I will reach a final determination in the matter.

You already have copies of most of the material in the acts. I am enclosing copies of a few additional items which you do not have and that I have incorporated into the acts. These are:

- 1) the final text of the summary of the hearing of December 8, 1994, which contains a few minor revisions from the draft you have already reviewed and accepted;
- 2) a letter from the Saint Luke Institute in which they discharged Father Ugarte and informed me of his lack of compliance with continuing care agreements;
- 3) a memo from Reverend [REDACTED] of this Archdiocese, informing me of the information that Father Ugarte is violating the terms of the precept issued to him both by continuing residence in a place forbidden to him and by engaging in ministerial activities and having contact with people in violation of the provisions of the precept;
- 4) a copy of a request sent to the Archdiocese in which Father Ugarte sought a verification of employment, dated July 3, 1995, which verifies his continuing residence in Big Bear City in violation of the terms of the precept.

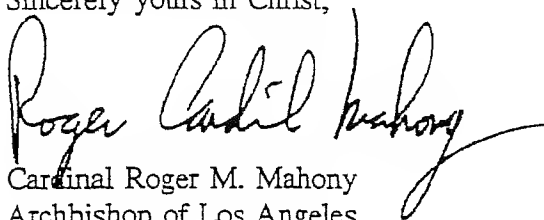
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-2-

Thank you again for your service as advocate for Father Ugarte in this very sad matter. I appreciate your efforts to assist in negotiating a solution. For my own knowledge, and for the sake that the truth be fully established, I ask that you write me to describe the efforts you did make with Father Ugarte to encourage him to negotiate a solution.

May God continue to bless you.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

enclosures

195014

XXXIII 000804



COPY

Archdiocese of Los Angeles

Office of
the Archbishop1531
West Ninth
StreetLos Angeles
California
90015-1194

November 22, 1995

Rev. Jose I. Ugarte

~~100-111111-111111~~
~~100-111111-111111~~
~~100-111111-111111~~

Dear Father Ugarte:

I am deeply disappointed that you made no reply at all to my letter of July 30, 1995, nor to the proposed agreement which I tendered in that letter. It was you, through your advocate, who first suggested an agreement of this sort between us. I had welcomed that less onerous possible solution. I allowed several additional months to pass hoping that you would take advantage of this opportunity. Sadly, the lack of any follow through on your part leads me to conclude that a negotiated solution is not possible.

Your failure to follow through on the possibility of an agreement leaves me no choice but to resume the penal process. In accord with canon 1725, I hereby ask you to present any final argument you wish to have considered before I make a final determination in the matter. Please consult your advocate for his assistance in this regard.

Your argument must be presented no later than **Friday, December 8, 1995**. After that date, I will consult with the two assessors in the case and reach a determination.

Sincerely yours in Christ,

+

Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc:

~~100-111111-111111~~

195012

SENDER - Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery

3. Article Addressed to:
Rev. Jose L. Ugarte
REDACTED

4. Article Number:
P 054 289 638

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

5. Signature - Addressee
X *[Signature]*

6. Signature - Agent
X JOSE L. UGARTO

7. Date of Delivery
1-29-95

8. Addressee's Address (ONLY if requested and fee paid)


PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

195126

XXXIII 000809


**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**


SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO 

Print Sender's name, address, and ZIP Code in the space below.

CARDINAL ROGER MAHONY
1531 WEST NINTH STREET
LOS ANGELES CA 90015




U.S. MAIL
PENALTY FOR PRIVATE USE \$300

195127

PRIORITY 11/25
Will you check w.
Ramm's office to see
if he has acted on
this, i.e. the letter in
#112. Thanks you

Yes this is all
in hand per
mgs. 11/29/95

CONFIDENTIAL
MEMORANDUM

COPY

December 1, 1995

TO: Msgr. [REDACTED]
FROM: Father Timothy Dyer TD.
RE: Fr. Jose Ignacio Ugarte

check 1-4-96
[REDACTED]

I know that you are proceeding with the process for Fr. Ugarte. I would like to order an end to his monthly check from the Arcdiocese. Do you foresee any obstacle to making December '95 his last check?

[REDACTED]

I concur - double check into [REDACTED], but we have more than enough info to terminate -
+ RMD

12-4-95

MEMORANDUMDecember 16, 1995

TO: Cardinal Mahony
FROM: Father Timothy Dyer TD.
RE: Fr. Ugarte

Msgr. [REDACTED] has promised me that he will have a memo to you by Monday, December 18 which you can send to the Assessors, [REDACTED] and [REDACTED] in reference to the Ugarte case.

I have called and asked them to FAX back their replies to you as soon as possible. You will then be in a position to make your final determination and issue the decree. At that point, the Archdiocese can discontinue benefits. I am concerned that the Archdiocese may later be seen as liable -- for having continued to support this man -- now that we have been put on notice that one of the young adults under his influence is suicidal.

I concur - the faster, the better -

+ Rmk

12-18-95

COPY

December 17, 1995

His Eminence, Roger Cardinal Mahony
 Archbishop of Los Angeles
 1531 West Ninth Street
 Los Angeles, California 90015-1194

Re: Rev. Jose Ugarte

Your Eminence:

This letter responds to your letters of November 22, 1995 to Rev. Jose Ugarte and myself in which you informed us that the penal process initiated some time ago was going forward due to Father Ugarte's failure to move forward and implement the negotiation offer proposed by me and accepted by you shortly after the initial hearing on this matter on December 8, 1994. Please allow this letter to constitute the argument on behalf of Father Ugarte which you invited in your recent letter.

The issue before you, as I understand it, is whether Father Ugarte violated canon 977, thereby incurring the automatic penalty of excommunication as set forth in canon 1378, §1. Commencing my argument, then, with that issue, allow me to make the following points. In order for the penalty to have been incurred, it seems to me that at least three things must have happened. First, the priest must have the at least the indicia of faculties to hear the confession. It is my understanding that Father Ugarte did have those faculties, or at least the suppletory appearance of those faculties. Second, the exception set forth in canon 977 may not be in place, which is to say that the penitent may not be in danger of death, in which case the absolution is both licit and valid. Again, it is quite clear that the Mr. [REDACTED] was not in danger of death in this case. Third, the offense, in this case the absolution of Mr. [REDACTED], must have been committed. It is at this juncture that we find ourselves in the same position as on December 8, 1994 when you first heard this matter.

As I argued then, there is a clear discrepancy between Mr. [REDACTED]'s testimony and Father Ugarte's testimony of December 8, 1994. Father Ugarte denies emphatically any attempt to extend sacramental absolution while Mr. [REDACTED] testifies that he understood the "prayer" offered by Father Ugarte to be absolution. Several things must be said about this discrepancy. The credibility of the witnesses must be assessed. Father Ugarte's testimony, which differs in some respects from earlier testimony offered by him in this matter. Since the testimony of December 8, 1994 was given under oath, it should be given priority as to other testimonies offered by Father Ugarte which were not given under oath. As to the other issues surrounding the credibility of Father Ugarte's testimony, I can only point to the history of psychological disturbances from which Father Ugarte clearly suffers and of which the Archdiocese of Los Angeles is more than aware since diversion to one facility was accomplished through the auspices of the Archdiocese in the discharge of its duties to Mr. [REDACTED] and Father Ugarte.

Since I have not met Mr. [REDACTED], I cannot fairly comment on his credibility other than to point out that the mere use of the words "I forgive you your sins" although close to a sacramental formula does not conform to the full context of the sacrament. Penitents usually present themselves for the sacrament of reconciliation either face to face or in the

195128

XXXIII 000815

His Eminence, Roger Cardinal Mahony
 December 17, 1995
 Page 2

confessional at the appointed time. Indeed, from the standpoint of pastoral practice, confessors do not make the approach. Did Mr. [REDACTED] make such an approach? Is there evidence of such an approach to Father Ugarte on the part of Mr. [REDACTED]? I make this point in order to suggest that just as Father Ugarte is adamant in his denial that the absolution ever took place so can Mr. [REDACTED] be confused about the situation, particularly from the vantage point of hindsight.

Further, Father Ugarte's alleged insistence that Mr. [REDACTED] keep their behavior secret may have confused Mr. [REDACTED] and created the color of the sacrament of penance. Still, there is no showing of the requisite mens rea coupled with actus reus which when taken together could constitute an offense for which a penalty could be incurred.

Finally, given the information provided to me by your office and Father Ugarte himself, it seems clear to me that at best their might be a simulated sacrament and that the norm of 1379 would then be more applicable to this situation. I would go even further and suggest that the more appropriate ecclesial response would be to initiate a process to declare Father Ugarte impeded from the exercise of orders due to the state of his mental health. As a practical matter, the people are protected, Father Ugarte is properly protected, and the difficulty of a declared penalty is avoided. Father Ugarte's faculties could then be withdrawn legitimately and in a manner consonant with his condition.

I suggesting the above, I do not mean to argue that you or anyone in your position should subvert the truth. On the contrary, I argue that the truth is broader than any particular act and that in this case the truth is not readily available to reasonable minds with the degree of moral certainty requisite for the declaration of the penalty of excommunication.

As to the final requests set forth in your letter to me of November 22, 1995, I can say that I have written to Father Ugarte and asked that he consider the negotiated resolution which I mentioned to your office. I have repeatedly left messages on his answering machine. He has only called me back two time. On both occasions he left messages on my voice mail, despite the fact that I have repeatedly given him the best times to call. He has never responded to my correspondence with him. As his advocate, this has been frustrating, as you can well imagine. However, it also has convinced me that Father Ugarte is a very ill man. While I do understand and support the need of ecclesiastical authority to be vigilant, especially where the care of souls is concerned, I do not think that Father Ugarte has formed the requisite mens rea. Indeed, I do not think he has the capacity to form it as I understand it, given his inability and unwillingness to cooperate with church authority, his incapacity to see the full dimensions of his behavior and its impact on others, and his continuing lack of cooperation with those interested in his well-being from yourself to his physicians to me.

Thanking you for the opportunity to be of service in this and other matters, I remain,

Sincerely yours in Christ,

/s/

195129



MEMORANDUM

TO: Cardinal Roger Mahony

FROM: Monsignor [REDACTED]

RE: Rev. Jose I. Ugarte

DATE: 19 December 1995

The argument of Father [REDACTED] in the Ugarte case has arrived. A copy is attached for your review. The worth of the argument depends heavily on the credibility of Father Ugarte. If his testimony at the hearing can be trusted, then his denial of any intent to impart absolution would mean the penalty was not incurred. Father [REDACTED] also raises the argument that since Mr. [REDACTED] does not testify to hearing the full formula of absolution that it calls into question whether absolution was truly attempted. In making the final decision after hearing from the assessors, these arguments will need to be taken into account.

Also enclosed are memos and packets for you to sent to the two assessors, [REDACTED] and [REDACTED]. I took the liberty of composing a memo from you to them. If you would like any revisions in the memo, please let me know. Both of them are expecting to hear from you about the matter.

enclosures

*Well done! I did not
believe Fr. Ugarte's testimony -
I've sent out the memos today -
Thab!*

+ RMB

195130

12-21-95



COPY

MEMORANDUM

December 28, 1995

To: Msgr. [REDACTED]

From: [REDACTED]

Re: Rev. Jose Ugarte and Attached

The attached memo was sent to the Cardinal (in error) instead of to yourself.

Thus the Cardinal's comments on it.

Monsignor Dyer has asked me to now forward it to you in line with the Cardinal's instructions to double check.

If you, too, concur that Father Ugarte should be removed from Payroll effective January 1, 1996 (which would mean the check he received at the end of this month would be the last), someone in our office should be instructed to notify Payroll.

The question of RETA coverage (which has been continuing) also comes up now. Please advise your recommendation in that regard also. If RETA coverage is to be discontinued, as of January 1, someone in our office should be instructed to notify Levontine in the Insurance Department.

Pension assessment payments for Fr. Ugarte have already ceased.

Monsignor, I have added these details simply because I will no longer be here when you get this memo and have no idea of who will be deputed to take care of the clerical actions needed to implement the decision. Thus I want to list them simply as a reminder and am sending a copy to Msgr. Loomis also.

With thanks for your help all these years and best wishes to you in the new one!

cc: Rev. Msgr. Richard Loomis

December 28, 1995

To: Msgr. [REDACTED]

From: [REDACTED]

Re: Rev. Jose Ugarte and Attached

The attached memo was sent to the Cardinal (in error) instead of to yourself.

Thus the Cardinal's comments on it.

Monsignor Dyer has asked me to now forward it to you in line with the Cardinal's instructions to double check.

If you, too, concur that Father Ugarte should be removed from Payroll effective January 1, 1996 (which would mean the check he received at the end of this month would be the last), someone in our office should be instructed to notify Payroll.

The question of RETA coverage

PRIORITY 11/25
Will you check w.
Rum's office to see
if he has acted on
this, i.e. the letter in
#112. Please you

Yes this is all
in hand per
[REDACTED] 11/29/95

194693

XXXIII 000825

Fr. Jose Ignacio Ugarte

Report by Fr. [REDACTED]

6/26/95

[REDACTED] -- new spiritual for Pius X Prayer Group -- gave a very good retreat this past weekend. Afterwards, Fr. Ugarte showed up at someone's house in the parish and two-thirds of the "pastores" (leaders) showed up at his meeting. Ugarte asked for a collection and got \$1,000. Ugarte told the people he would be at Pius X Church on 9/16/95 for [REDACTED] wedding ([REDACTED] is the Youth Leader). Fr. [REDACTED] is slated as the presider for the liturgy. Ugarte was evidently saying that Cardinal Mahony gave him permission to be there (though, without faculties).

T. Dyer



MEMORANDUM
CONFIDENTIAL

TO: CARDINAL ROGER MAHONY
FROM: [REDACTED]
RE: REV. JOSE I. UGARTE
DATE: JANUARY 4, 1996

In determining whether or not Rev. José I. Ugarte violated Canon 1378, I would agree with Rev. Ugarte's advocate, [REDACTED], that the credibility of the people involved must be assessed. I have an advantage in this regard because I know both parties. I have known Rev. José I. Ugarte over the years. Also, as the former Rector of St. John's Seminary, I know Mr. [REDACTED] very well.

Mr. [REDACTED] is a man of integrity and honesty. He has testified that he understood the words and actions of Rev. Ugarte to be within the context of sacramental confession with the imposition of hands and the use of the words, "I forgive you your sins." There is no evidence to impugn his testimony.

On the other hand, Rev. Ugarte's account of the incident, as well as his lack of compliance to any and all precepts, raises concern as to this credibility. He has made numerous promises, taken oaths, entered into agreements and has not been true to his word. I would disagree with Rev. [REDACTED] that one must accept his last version of events because it was taken under oath. Rev. Ugarte has not demonstrated by his words and actions that an oath would make a difference. I am also in disagreement with Rev. Ugarte's distinction between

Cardinal Roger Mahony
Re: Ugarte [REDACTED]

January 4, 1996
Page 2

"promesa" and a "juramento." For a Hispanic, one's word is sacred no matter how it is given.

My perception is that this is a case where Rev. Ugarte, after prayer and reflection, realized the seriousness of the situation and nuanced his story accordingly.

As to Rev. [REDACTED] argument that Rev. Ugarte's psychological disturbance might mitigate his culpability in the issues surrounding his credibility, I would submit that, although I believe there are serious concerns. I am not in a position to determine how seriously disturbed he is.

My best thinking on the evidence presented would believe me to believe that Rev. Ugarte did indeed violate Canon 1378.

REDACTED

1-9-96

✓4
This company wants
us to verify employment on the
prior (C file). They say
they are buying a house.
Please advise.

REDACTED

25057

XXXIII 000836



MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Richard A. Loomis

FROM: Monsignor [REDACTED]

RE: Meeting on February 2 Regarding Father Ugarte

DATE: 29 January 1996

To prepare for our meeting on Friday, I wanted to provide a few areas for reflection. Attached are the recommendations of the two assessors in the case. There is a divergence in their recommendations. That is good, because the whole purpose of canonical assessors is to provide different points of view so that the ultimate decision can be based on a consideration of all reasonable factors.

State of the Evidence and Advice Given:

The following is a brief summary of where we are with the process at the moment, in terms of the evidence and the advice of the assessors:

- 1) There has been a strong and credible accusation that Father Ugarte attempted to absolve an accomplice in a sin against the sixth commandment. If that accusation is correct, he automatically incurred an excommunication reserved to the Holy See (canons 1378 and 977).
- 2) Father Ugarte has formally denied under oath that he attempted absolution or had any intent to attempt absolution. His advocate, understandably, argues that this means the excommunication did not occur, and that (at worst) Father Ugarte may have simulated a sacrament, which does involve a possible penalty but not an automatic excommunication (canon 1379).
- 3) The Cardinal and [REDACTED] have serious doubts about the credibility of Father Ugarte's denial. These credibility doubts are not mere feelings, but are rooted in the fact that Father Ugarte changed his story, and has made other statements and promises which have been untrue. Thus, as part of the Cardinal's ultimate judgment it is fully reasonable to reach a conclusion regarding credibility, and determine that despite the denial of Father Ugarte that the attempt was made and the penalty incurred.
- 4) [REDACTED] in addition to raising questions about the fact of an attempted absolution, raises a jurisprudential issue. He claims that since [REDACTED] did not

*Memo to Cardinal Mahony and Monsignor Loomis
Concerning Father Jose I. Ugarte
Page: 2*

seek sacramental reconciliation, the conditions for the violation of canon 1378 and 977 have not been met. It is an interesting argument. Unfortunately, Rome does not publish jurisprudence for such cases, so I have no idea what Roman authorities actually require to reach certitude about what constitutes an attempted absolution. I personally disagree with [REDACTED] analysis. Canon 977 speaks of the "absolution" of an accomplice being invalid, it does not speak of the full celebration of the sacrament of reconciliation. That the law does make a distinction is evident in canon 1378, §2, 2°, which talks both about attempting "to impart sacramental absolution" or (*vel*) hearing a "sacramental confession." Thus, if the law wanted to specify that the automatic excommunication of canon 1378, §1, is incurred only after a full celebration of the sacrament, it could easily have done so. Whether my argument or his would hold the day upon review by the CDF, I have no way of knowing.

- 5) [REDACTED] also raised the question of imputability. I fully agree that Father Ugarte has psychological troubles. At the same time, whether those troubles prevent him from understanding the obligations connected with the sacrament of penance is another matter. I see no reason to conclude that his actions were not imputable at law.
- 6) There is also evidence that Father Ugarte has totally ignored the provisions of the precept legitimately imparted to him. That precept also contained an official canonical warning that violation of its terms could result in additional penalties.

Decisions Before Us:

I believe that it would be appropriate to declare the penalty was incurred. While it is the Cardinal who must reach moral certitude and the final decision, I believe that a decision declaring that absolution was attempted and the excommunication incurred respects the facts. If this is the decision, I will be able to write a strong argument for it.

At the same time, my concern is to be sure we make the wisest and most prudent possible decision. In other words, we need a decision that will be "secure," i.e. that will upheld against any challenge. To me, the worst possible outcome would be to declare the excommunication and then have Rome overturn it, whatever the reason. Even if Rome did not intend it that way, it would be perceived by Father Ugarte and his supporters as a victory for him. For that reason, given the absence of any jurisprudence to guide us, I am presently leaning to the following alternative:

- A) That we decide "not to decide" the question of the excommunication, writing an argument that states that we are convinced absolution was attempted despite Father Ugarte's denials, but that questions of jurisprudence require that the matter be referred to the CDF for guidance and a final determination.

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*Memo to Cardinal Mahony and Monsignor Loomis
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- B) That on the basis of the evidence in the file we immediately declare Father Ugarte impeded from the exercise of orders, and require that this fact be made known appropriately.
- C) That as part of the decree the Cardinal issue a second canonical warning to Father Ugarte informing him that if he does not fully comply with the provisions of the precept in two weeks, he will impose the canonical penalty of suspension for persistent disobedience (canon 1371, 2°). I am sure Father Ugarte will ignore the warning; and hence we will have both the impediment declared and a suspension imposed.
- D) That we then send the case to the CDF, asking them to review whether the excommunication was incurred. If so, we ask them to declare it or to inform you that it is appropriate to declare it given their jurisprudence in such matters. If they say the excommunication was not incurred, we do not "get mud on our faces." If they decide to impose it, then we benefit from being able to "tighten the screws" on Father Ugarte either by having the action come from Rome directly or being taken at Roman instruction and with full security that the action will stand.

Please reflect on these possibilities, which we can discuss more fully on Friday. I will already have drafts of both possible decisions ready, so that after Friday we can have the official documents as early as Monday.

enclosures

195143

XXXIII 000839



February 2, 1996
10:00 A.M.
CONFIDENTIAL

MEMORANDUM

TO: Cardinal Roger Mahony
Monsignor Richard A. Loomis

FROM: Monsignor [REDACTED]

RE: Meeting on February 2 Regarding Father Ugarte

DATE: 29 January 1996

To prepare for our meeting on Friday, I wanted to provide a few areas for reflection. Attached are the recommendations of the two assessors in the case. There is a divergence in their recommendations. That is good, because the whole purpose of canonical assessors is to provide different points of view so that the ultimate decision can be based on a consideration of all reasonable factors.

State of the Evidence and Advice Given:

The following is a brief summary of where we are with the process at the moment, in terms of the evidence and the advice of the assessors:

- 1) There has been a strong and credible accusation that Father Ugarte attempted to absolve an accomplice in a sin against the sixth commandment. If that accusation is correct, he automatically incurred an excommunication reserved to the Holy See (canons 1378 and 977).
- 2) Father Ugarte has formally denied under oath that he attempted absolution or had any intent to attempt absolution. His advocate, understandably, argues that this means the excommunication did not occur, and that (at worst) Father Ugarte may have simulated a sacrament, which does involve a possible penalty but not an automatic excommunication (canon 1379).
- 3) The Cardinal and [REDACTED] have serious doubts about the credibility of Father Ugarte's denial. These credibility doubts are not mere feelings, but are rooted in the fact that Father Ugarte changed his story, and has made other statements and promises which have been untrue. Thus, as part of the Cardinal's ultimate judgment it is fully reasonable to reach a conclusion regarding credibility, and determine that despite the denial of Father Ugarte that the attempt was made and the penalty incurred.
- 4) [REDACTED], in addition to raising questions about the fact of an attempted absolution, raises a jurisprudential issue. He claims that since Mr. [REDACTED] did not

*Memo to Cardinal Mahony and Monsignor Loomis
Concerning Father Jose I. Ugarte
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seek sacramental reconciliation, the conditions for the violation of canon 1378 and 977 have not been met. It is an interesting argument. Unfortunately, Rome does not publish jurisprudence for such cases, so I have no idea what Roman authorities actually require to reach certitude about what constitutes an attempted absolution. I personally disagree with [REDACTED] analysis. Canon 977 speaks of the "absolution" of an accomplice being invalid, it does not speak of the full celebration of the sacrament of reconciliation. That the law does make a distinction is evident in canon 1378, §2, 2°, which talks both about attempting "to impart sacramental absolution" or (vel) hearing a "sacramental confession." Thus, if the law wanted to specify that the automatic excommunication of canon 1378, §1, is incurred only after a full celebration of the sacrament, it could easily have done so. Whether my argument or his would hold the day upon review by the CDF, I have no way of knowing.

- 5) [REDACTED] also raised the question of imputability. I fully agree that Father Ugarte has psychological troubles. At the same time, whether those troubles prevent him from understanding the obligations connected with the sacrament of penance is another matter. I see no reason to conclude that his actions were not imputable at law.
- 6) There is also evidence that Father Ugarte has totally ignored the provisions of the precept legitimately imparted to him. That precept also contained an official canonical warning that violation of its terms could result in additional penalties.

Decisions Before Us:

I believe that it would be appropriate to declare the penalty was incurred. While it is the Cardinal who must reach moral certitude and the final decision, I believe that a decision declaring that absolution was attempted and the excommunication incurred respects the facts. If this is the decision, I will be able to write a strong argument for it.

At the same time, my concern is to be sure we make the wisest and most prudent possible decision. In other words, we need a decision that will be "secure," i.e. that will upheld against any challenge. To me, the worst possible outcome would be to declare the excommunication and then have Rome overturn it, whatever the reason. Even if Rome did not intend it that way, it would be perceived by Father Ugarte and his supporters as a victory for him. For that reason, given the absence of any jurisprudence to guide us, I am presently leaning to the following alternative:

- A) That we decide "not to decide" the question of the excommunication, writing an argument that states that we are convinced absolution was attempted despite Father Ugarte's denials, but that questions of jurisprudence require that the matter be referred to the CDF for guidance and a final determination.

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*Memo to Cardinal Mahony and Monsignor Loomis
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- B) That on the basis of the evidence in the file we immediately declare Father Ugarte impeded from the exercise of orders, and require that this fact be made known appropriately.
- C) That as part of the decree the Cardinal issue a second canonical warning to Father Ugarte informing him that if he does not fully comply with the provisions of the precept in two weeks, he will impose the canonical penalty of suspension for persistent disobedience (canon 1371, 2°). I am sure Father Ugarte will ignore the warning, and hence we will have both the impediment declared and a suspension imposed.
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Please reflect on these possibilities, which we can discuss more fully on Friday. I will already have drafts of both possible decisions ready, so that after Friday we can have the official documents as early as Monday.

enclosures



MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 5 February 1996

Attached are two originals of the decree we agreed to complete today. Should you wish to recommend any changes, please do so. If the decree is acceptable as is, please sign both and have [REDACTED] notarize both.

Also attached are letters to Father Ugarte and his advocate, dated tomorrow (February 6). Please sign these as well, and have a copy of the signed version of the letter to Father Ugarte made. Then please have the following done:

- 1) Send one original of the decree with the cover letter to Father Ugarte by return receipt requested mail.
- 2) Return the other decree, a copy of the signed letter to Father Ugarte, and the letter to Father [REDACTED] to me. I will see to having his copy sent to him.

I will be preparing for your signature a letter to [REDACTED] I will also discuss with Monsignor Loomis the appropriate way to notify Mr. [REDACTED] and the pastors of the Archdiocese.

Thank you.

P 054 289 651

REDACTED

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

* U.S.G.P.O. 1984-446-014 PS Form 3800, Feb. 1982	Sent to Rev. Jose Ugarte	
	REDACTED	
	Postage	\$.55
	Certified Fee	1.10
	Special Delivery Fee	
	Restricted Delivery Fee	
	Return Receipt Showing to whom and Date Delivered	
	Return receipt showing to whom, Date, and Address of Delivery	1.65
	TOTAL Postage and Fees	\$ 3.30
	Postmark or Date E.O. 2/07/96 TIME 1:48 PM	

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST-CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article. **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

<p>SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.</p> <p>Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.</p>	
<p>1. <input checked="" type="checkbox"/> Show to whom delivered, date, and addressee's address. 2. <input type="checkbox"/> Restricted Delivery.</p>	
<p>3. Article Addressed to: Rev. Jose Ugarte REDACTED</p>	<p>4. Article Number P 054 289 651</p>
	<p>Type of Service:</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input checked="" type="checkbox"/> Express Mail</p>
	<p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>
<p>5. Signature — Addressee X <i>[Signature]</i></p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>
<p>6. Signature — Agent X</p>	
<p>7. Date of Delivery</p>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS
Print your name, address, and ZIP Code
in the space below.
• Complete items 1, 2, 3, and 4 on
the reverse.
• Attach to front of article if space
permits, otherwise affix to back of
article.
• Endorse article "Return Receipt
Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

CARDINAL ROGER MAHONY

1531 WEST NINTH ST

LOS ANGELES CA 90015





MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 5 February 1996

Attached are two originals of the decree we agreed to complete today. Should you wish to recommend any changes, please do so. If the decree is acceptable as is, please sign both and have [REDACTED] notarize both.

Also attached are letters to Father Ugarte and his advocate, dated tomorrow (February 6). Please sign these as well, and have a copy of the signed version of the letter to Father Ugarte made. Then please have the following done:

- 1) Send one original of the decree with the cover letter to Father Ugarte by return receipt requested mail.
- 2) Return the other decree, a copy of the signed letter to Father Ugarte, and the letter to Father [REDACTED] to me. I will see to having his copy sent to him.

I will be preparing for your signature a letter to [REDACTED]. I will also discuss with Monsignor Loomis the appropriate way to notify Mr. [REDACTED] and the pastors of the Archdiocese.

Thank you.

195148



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

DECREE

DETERMINATION CONCERNING A CANONICAL PENALTY AND DECLARATION OF AN IMPEDIMENT TO THE EXERCISE OF ORDERS AFFECTING REVEREND JOSE I. UGARTE

In a decree dated 24 June 1994, I opened a canonical investigation into the possibility that Reverend Jose I. Ugarte violated canon 1378, §1. Prior to this, information had come to the Archdiocese of sexual misconduct on the part of Reverend Ugarte. Intervention on these reports was made, the truth of reports confirmed, and Father Ugarte was sent to receive treatment at the Saint Luke Institute, Suitland, Maryland.

The preliminary investigation revealed that there was substantial evidence that an ecclesiastical crime was committed. Therefore, in a decree dated 19 July 1994, I set in motion the formal penal process to verify the facts in view of the possibility of declaring that the *latae sententiae* penalty connected with canon 1378, §1, had been incurred.

On July 30, 1994, I informed Reverend Ugarte of the charge. In accord with the provisions of canon 1722, and having consulted the Monsignor [REDACTED], the Promoter of Justice, I also issued a precept binding Reverend Ugarte to certain requirements in order to protect the people of God.

When Father Ugarte did not appoint an advocate as of the deadline provided, I appointed an advocate in his behalf on September 7, 1994. On September 8, 1994, I cited Reverend Ugarte to appear at the Archdiocesan Curia for a canonical hearing in the matter, scheduled on October 27, 1994.

Father Ugarte wrote me in a letter of September 19, 1994. He made no mention of the hearing, made no request to reschedule it. He did not appear on October 27, 1994, when that first hearing was conducted. Given that his letter of September 19, 1994, indicated his mother was suffering from an illness, I determined to give him every benefit of the doubt. Therefore, in a letter of November 22, 1994, I cited Reverend Ugarte a second time and asked him to appear at a hearing on December 8, 1994.

Reverend Ugarte and his advocate appeared at this second hearing. He was confronted with the charges and made a response. Reverend Ugarte chose to take the oath and testified

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concerning his actions and intentions. He denied having attempted to give absolution. At the conclusion of that hearing, Reverend Ugarte denied ever having received the precept issued on 30 July 1994. The signed receipt from the Post Office indicating that Reverend Ugarte personally received that letter was shown to him. He acknowledged that it was his signature on the receipt, but denied knowing the contents of the letter. A copy of the precept was given to him at this time, and he was informed that he must abide by its terms.

Subsequent to the hearing, a copy of the summary of the testimony given at the hearing was sent to both Reverend Ugarte and his advocate. Neither challenged the accuracy of the summary, and hence it is incorporated into these acts.

In a phone call, Reverend Ugarte's advocate indicated the possibility of a solution involving an agreement that Reverend Ugarte would return home to Spain to be with his mother, accepting the restriction that he would avoid all forms of public ministry and that the proper ecclesiastical authorities would be notified of his condition. This agreement would be in exchange for suspending the penal process and any declaration that the penalty was incurred, and asking the Congregation in Rome to remit the penalty insofar as it may have been incurred. I was open to such an agreement, and withheld action on concluding the penal process. After a period of many months, however, it became apparent that Reverend Ugarte was not serious in negotiating an agreement. I also received indications that he was violating the terms of the precept.

Therefore, on July 30, 1995, I wrote Reverend Ugarte proposing the text of an agreement between us. I asked him to reply by August 21, 1995, informing him that I would resume the penal action if no agreement was finalized. Despite efforts by his advocate, Reverend Ugarte made no response to the proposal.

In attempting to discern the truth, I have painfully concluded that the testimony of Reverend Ugarte denying the allegation of Mr. [REDACTED] is not credible. As the acts of this case indicate, Reverend Ugarte's statements at the hearing differ from statements made earlier in my presence and that of Monsignor Timothy Dyer. While those statements were not made under oath, they were made as part of a very serious discussion with his bishop. Other statements by Reverend Ugarte have also called into question his credibility. He denied knowing of the precept despite clear evidence that he signed for the documents. If he was truly unaware of the contents of that mailing, why did he not immediately question the references in my letter of November 22, 1994, which explicitly referred to the earlier letter and earlier hearing? Thus, his assertion that he was unaware of the precept is not credible. In addition, since being handed the precept directly on December 8, 1994, Reverend Ugarte has made no attempt to comply with its provisions, despite indicating that he was aware the precept bound under obedience. Furthermore, he indicated through his advocate a willingness to negotiate

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an agreement, but never made any effort to propose terms for such an agreement. Nor did he respond to my own attempt to propose an agreement. The combination of these factors is telling. As a result, I find that Reverend Ugarte and his testimony cannot be trusted. On the contrary, I find Mr. [REDACTED] testimony to be consistent and credible.

The advocate for Father Ugarte argues that, given the psychological assessment conducted by the Saint Luke Institute, that it should be concluded that Reverend Ugarte was not imputable for the alleged crime. The psychological report does indicate that Reverend Ugarte is seriously disturbed. Furthermore, the acts establish that Reverend Ugarte has refused to comply with his aftercare agreement and is unwilling to remain committed to a course of treatment that would assist him. Nonetheless, to be imputable for a crime does not require that a person be fully psychologically stable. In examining the provisions of canon 1324, I do not find that Father Ugarte had an imperfect use of reason or lacked the use of reason (canon 1324, §1, 1°-2°). The only possible mitigating clause would be canon 1324, §1, 10°. Yet, the obligation not to attempt to absolve an accomplice in a sin against the sixth commandment is one of the most basic and easily understood of all obligations imposed on clerics. The evidence indicates that due to his psychological condition Father Ugarte may not be fully imputable for the crime of sexual misconduct; it is a very different thing to conclude he is not fully imputable for the crime of attempted absolution. The mere presence of a psychological disorder does not establish that Reverend Ugarte was not imputable. Since according to canon 1321, §3, imputability is presumed whenever an external violation has occurred, and since the psychological evidence contains no proof to overturn this presumption, I have concluded that Father Ugarte is seriously imputable as understood by canon 1321, §1.

The two assessors named for this action differ in their analysis of the evidence and their recommendations. [REDACTED], believes that the evidence does establish that Reverend Ugarte violated canon 1378, §1, and that he is seriously imputable for that violation. [REDACTED], questioned whether there was certainty of a violation in face of the denial of Reverend Ugarte. [REDACTED] also raised an important jurisprudential question, namely, whether the penalty could be incurred outside of the normal context of the sacrament of penance, in which the penitent requests absolution and the sacrament is celebrated integrally.

In analyzing the animadversions of the Assessors, I find myself in agreement with [REDACTED] in accepting that there was an attempt to impart absolution, and that Father Ugarte's denial is not credible. I find myself in disagreement with [REDACTED] reasoning. [REDACTED] thinking creates a higher standard than that of the canons. Canon 977, to which canon 1378 refers, does not state: "celebrates the sacrament of penance" or "hears confession in a confessional." It states simply that the attempted absolution is invalid. The

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ecclesiastical crime of attempting to absolve an accomplice in a sin against the sixth commandment does not seem to envision that the violation occur only in a confessional. In fact, the very nature of this crime is such that it would be far more likely to occur outside of a church. In addition, I note that the text of paragraph two, number two of canon 1378 states: "... a person who attempts to impart sacramental absolution or (vel) a person who hears a sacramental confession when" In this text, the legislator has distinguished the two actions, envisioning the possibility of an attempt to impart absolution outside the full context of a sacramental confession. Since the legislator has made use of this distinction, it appears to me that the wording of canon 977 is quite deliberate, and refers to any attempt to impart absolution. Likewise, the canons do not require that the accomplice make an explicit request for absolution; the attempt to impart it, however that attempt might be motivated, meets the requirements of the law.

Despite the fact that I disagree with [REDACTED] analysis of the matter, I am fully aware that penal law must be strictly interpreted. There is little or no jurisprudence available on the interpretation and application of canons 977 and 1378, §1. Given the serious nature of the matter, this lack of jurisprudence presents a grave obstacle. If [REDACTED] argument is correct and the jurisprudence of the Congregation of the Doctrine of the Faith only envisions this *latae sententiae* penalty being incurred within the context of a full celebration of the Sacrament of Penance, then for me to declare the existence of the penalty would be inaccurate.

Having considered all the evidence in the matter, having provided every opportunity to come to a less onerous conclusion, having sought appropriate counsel and prayed for the guidance of the Holy Spirit, I have reached moral certitude concerning several matters, and have made the following determination for the good of the Church and for the correction of Father Ugarte. Therefore, I hereby decree:

- 1) Reverend Jose I. Ugarte did violate canon 1378, §1, by attempting to absolve Mr. [REDACTED].
[REDACTED] This violation occurred on more than one occasion.
- 2) In doing so, Reverend Jose I. Ugarte was seriously imputable.
- 3) I am personally convinced that Reverend Ugarte thereby incurred the *latae sententiae* excommunication connected with that violation. At the same time, in the absence of any jurisprudence to guide me, I have determined that it is not opportune for me to issue a declaration that the penalty has been incurred. Rather, I order that the entire matter be forwarded to the Congregation for the Doctrine of the Faith, asking the Congregation to review the case and to declare the penalty if it meets the standards of the applicable jurisprudence.

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- 4) Given the serious damage caused by Reverend Ugarte's actions, given his continued lack of genuine repentance or any efforts to cooperate to repair scandal, given the report from the Saint Luke Institute and the many other actions of Reverend Ugarte that reveal that he undoubtedly suffers from serious psychological impairments, I declare that the evidence establishes Reverend Ugarte is impeded from the exercise of sacred orders according to the provision of canon 1044, §2, 2°. As a result, he is not to exercise any of the power of orders.

- 5) In addition, I find that Reverend Ugarte is in violation of most if not all of the provisions of the precept which I issued on 30 July 1994. There is evidence that he received the document on August 5, 1994, despite his claims to the contrary. There can be no doubt that he received the precept on December 8, 1994, when it was handed to him in the Curia of the Archdiocese of Los Angeles. That precept contained a canonical warning that violation of its terms would subject Reverend Ugarte to the possibility of a penalty for disobedience in accord with canon 1371, 2°. I find that there has been persistent disobedience. I hereby issue a second canonical warning. Reverend Ugarte is hereby put on notice that by February 20, 1996, he must withdraw from contumacy and abide by all of the provisions of the precept of 30 July 1994. If he does not fully comply with the provisions of that precept by February 20, 1996, I will impose the censure of suspension (canon 1333) upon him for persistent disobedience.

I order that this decree be published to Reverend Jose I. Ugarte, to his advocate, and to [REDACTED], diocesan bishop of the Diocese of San Bernardino where Reverend Ugarte is presently domiciled. I authorize [REDACTED] to make the fact of the declaration of the impediment known to the pastor of the parish within which Reverend Ugarte resides and to others that, in his judgment, need to be informed. I also order that [REDACTED] be officially informed of the action taken, although he need not receive a copy of the full decree. The pastors of the Archdiocese of Los Angeles will be informed that Reverend Ugarte is not in good standing, and no permission or delegation should be extended to him for any ministry in their parishes.

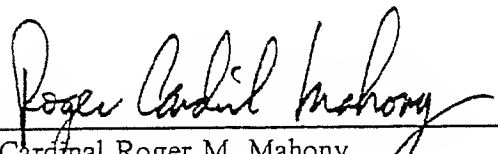
I formally warn Reverend Ugarte that should he attempt to exercise the power of orders he does so illicitly. Since his faculties have already been removed, it is appropriate to add the reminder that any attempt to celebrate the sacrament of penance or to witness an exchange of marriage vows is illicit, invalid, and would subject Reverend Ugarte to further penalties for simulating a sacrament (canon 1379). I further warn Reverend Ugarte that should he attempt to present himself as a priest in good standing, engage in any form of ministry, or act in any way against the terms of this declaration, that this decree will be published more widely in order to protect the People of God.

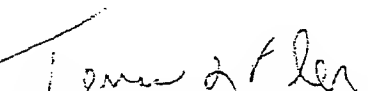
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Since Reverend Ugarte has failed to cooperate with the provisions of the precept and with efforts to assist him in facing his many problems, with due regard to my responsibilities under canon 1350, I further order that no payments of remuneration, benefits or other support be made to him by the Archdiocese of Los Angeles until I direct otherwise.

I urge Reverend Ugarte to acknowledge his offenses before God and Our Lord Jesus Christ, to repent and make amends for them, to fulfill his promise of obedience by accepting the guidance of his legitimate ecclesiastical superiors, and to cooperate with me in working toward a more permanent resolution of the difficulties that have led to this sad day.

Issued in the Curia of the Archdiocese of Los Angeles on the 5th day of February in the Year of Our Lord 1996.

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrence L. Fleming
Chancellor

Archdiocesan Seal

195163

D E C R E E
DECLARATION OF CANONICAL PENALTY

In a decree dated 24 June 1994, I opened a canonical investigation into the possibility that Reverend Jose I. Ugarte violated canon 1378, §1.

The preliminary investigation revealed that there was substantial evidence that an ecclesiastical crime was committed. Therefore, in a decree dated 19 July 1994, I set in motion the formal penal process to verify the facts in view of the possibility of declaring that the *latae sententiae* penalty connected with canon 1378, §1, had been incurred.

On July 30, 1994, I informed Reverend Ugarte of the charge. In accord with the provisions of canon 1722, and having consulted the Promoter of Justice, I also issued a precept binding Reverend Ugarte to certain requirements in order to protect the people of God.

When Father Ugarte did not appoint an advocate as of the deadline provided, I appointed an advocate in his behalf on 7 September 1994. On September 8, 1994, I cited Reverend Ugarte to appear at the Archdiocesan Curia for a canonical hearing in the matter, scheduled on October 27, 1994.

Father Ugarte wrote me in a letter of September 19, 1994. He made no mention of the hearing, made no request to reschedule it. He did not appear on October 27, 1994. Given that his letter of September 19, 1994, indicated his mother was suffering from an illness, in a letter of November 22, 1994, I cited Reverend Ugarte a second time and asked him to appear at a hearing scheduled for December 8, 1994.

Reverend Ugarte and his advocate appeared at this hearing. He was confronted with the charges and made a response. Reverend Ugarte chose to take the oath and testified concerning his actions and intentions. He denied having attempted to give absolution. At the conclusion of that hearing, Reverend Ugarte denied ever having received the precept issued on 30 July 1994. The signed receipt from the Post Office indicating that Reverend personally received that letter was shown him. He acknowledged that it was his signature on the receipt, but denied knowing the contents of the letter. A copy of the precept was given to him at this time, and he was informed that he must abide by its terms.

Declaration of Canonical Penalty Affecting Reverend Jose I. Ugarte
 Page: 2

Subsequent to the hearing, a copy of the summary of the testimony given at the hearing was sent to both Reverend Ugarte and his advocate. Neither challenged the accuracy of the summary, and hence it is incorporated into these acts.

In a phone call, Reverend Ugarte's advocate indicated the possibility of a solution involving an agreement that Reverend Ugarte would return home to Spain to be with his mother, accepting the restriction that he would avoid all forms of public ministry and that the proper ecclesiastical authorities would be notified of his condition. This agreement would be in exchange for suspending the penal process and any declaration that the penalty was incurred, and asking the Congregation in Rome to remit the penalty insofar as it may have been incurred. I was open to such an agreement, and withheld action on concluding the penal process. After a period of many months, however, it became apparent that Reverend Ugarte was not serious in negotiating an agreement. I also received indications that he was violating the terms of the precept.

Therefore, on July 30, 1995, I wrote Reverend Ugarte proposing the text of an agreement between us. I asked him to reply by August 21, 1995, informing him that I would resume the penal action if no agreement was finalized. Despite efforts by his advocate, Reverend Ugarte made no response to the proposal.

In consulting the two assessors named for this action, they differ in their analysis of the evidence. [REDACTED], believes that all the evidence does establish that Reverend Ugarte violated canon 1378, §1. [REDACTED], questioned whether there was certainty of a violation. In analyzing the animadversions of the Assessors, I find myself in agreement with [REDACTED]. [REDACTED]'s reasoning creates a higher standard than that of the canons. Canon 977 to which canon 1378 refers does not state: "celebrates the Sacrament of Penance" or "hears confession in a confessional." It states that the attempted absolution is invalid. The ecclesiastical crime of attempting to absolve an accomplice in a sin against the sixth commandment does not envision that the violation occur in a confessional. In fact, the very nature of this crime is such that it would be far more likely to occur outside of a church.

In attempting to discern the truth, I have painfully concluded that the testimony of Reverend Ugarte denying the allegation of Mr. [REDACTED] is not credible. As the record of the hearing indicates, Reverend Ugarte's statements at that time differed from statements made earlier in my presence and that of Monsignor Dyer. While those statements were not made under oath, they were made as part of a very serious discussion with his bishop. Other statements by Reverend Ugarte have also called into question his credibility. He denied knowing of the precept despite clear evidence that he signed for the documents. If he was truly unaware of the contents of that mailing, why did he not immediately question the references in my letter

Declaration of Canonical Penalty Affecting Reverend Jose I. Ugarte

Page: 3

of November 22, 1994, which clearly referred to the earlier letter and earlier hearing? Thus, his assertion that he was unaware of the precept is not credible. In addition, since receiving the precept from my hand on December 8, 1994, Reverend Ugarte has made no attempt to comply with its provisions, despite indicating that he was aware the precept bound under obedience. Furthermore, he indicated through his advocate a willingness to negotiate an agreement, but never acted upon that, never responded to my own attempt to propose an agreement. The combination of these factors is telling. As a result, I find that Reverend Ugarte and his testimony cannot be trusted. On the contrary, I find REDACTED testimony to be consistent and credible.

Having considered all the evidence in the matter, having provided every opportunity to come to a less onerous conclusion, having sought appropriate counsel and prayed for the guidance of the Holy Spirit, I have reached moral certitude in the matter and hereby decree:

- 1) Reverend Jose I. Ugarte did violate canon 1378, §1, by attempting to absolve REDACTED REDACTED on more than one occasion.
- 2) In doing so, Reverend Jose I. Ugarte was seriously imputable and hence incurred the *latae sententiae* excommunication connected with that violation.
- 3) In addition, I find that Reverend Ugarte is in violation of most if not all of the provisions of the precept which I issued on 30 July 1994, for which there is evidence he received the document on August 5, 1994, and which he also received from my hand on December 8, 1994.

For these reasons, I formally declare that Reverend Jose I. Ugarte has incurred the *latae sententiae* penalty of excommunication provided by canon 1378, §1. Remission of this penalty is reserved to the Apostolic See.

In accord with canon 1331, §1, the penalty of excommunication prohibits Reverend Jose I. Ugarte from the following:

- a) any ministerial participation in the Eucharist or other forms of public worship;
- b) the celebration or reception of the sacraments or sacramentals;
- c) the discharge of any ecclesiastical offices, ministries or functions whatsoever.

The penalty having been formally declared, Reverend Jose I. Ugarte is further bound by the provisions of canon 1331, §2.

In accord with canon 1351, this penalty binds Reverend Jose I. Ugarte everywhere. The penalty having been formally declared, the mitigating provisions of canon 1352, §2, cannot be invoked by Reverend Ugarte.

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Declaration of Canonical Penalty Affecting Reverend Jose I. Ugarte

Page: 4

I order that this decree be published to Reverend Ugarte, to his advocate, and to the Diocesan Administrator of the Diocese of San Bernardino where Reverend Ugarte is presently domiciled. I authorize [REDACTED] of the Diocese of San Bernardino to make the fact of the excommunication known to the pastor of the parish within which Reverend Ugarte resides, and to others that, in his judgment, need to be informed.

I formally warn Reverend Ugarte that should he present himself as a priest in good standing, engage in any form of ministry, or act in any way against the terms of this excommunication, that the decree will be published more widely in order to protect the People of God.

I further order that unless and until Reverend Ugarte ceases from contumacy that no further payments of remuneration, benefits or other support be made to him by the Archdiocese of Los Angeles.

I urge Reverend Ugarte to acknowledge his offenses before God and Our Lord Jesus Christ, to repent and make amends for them, to fulfill his promise of obedience by accepting the guidance of his legitimate ecclesiastical superiors, and to cooperate with me in working toward a more permanent resolution of the difficulties that have led to this sad day.

Finally, given the provision of canon 1378, §1, that this excommunication is reserved to the Apostolic See, I order that this decree and all the acts of the case be forwarded to the Congregation for the Doctrine of the Faith which is competent in the matter.

Issued in the Curia of the Archdiocese of Los Angeles on the 5th day of February in the Year of Our Lord 1996.

Cardinal Roger M. Mahony
Archbishop of Los Angeles

Monsignor Terrence L. Fleming
Chancellor

Archdiocesan Seal

195157



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

February 6, 1996

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]
[REDACTED]

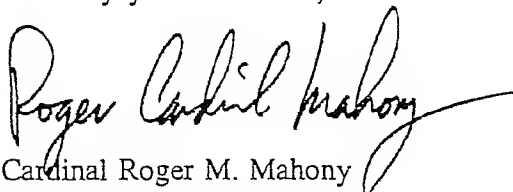
Dear Father Ugarte:

It is with great sadness that I have issued the enclosed decree declaring you impeded from the exercise of orders. I urge to read the decree very, very carefully and to consult with your advocate about its meaning. I specifically call your attention to several aspects of the decree:

- 1) The declaration of this impediment prevents you from any licit exercise of the power of Holy Orders.
- 2) I am forwarding the file to the Congregation of the Doctrine of the Faith, asking that they consider the question of declaring the penalty of excommunication.
- 3) This decree contains a second canonical warning concerning violations of the provisions of the precept which I have issued to you, specifying that if you are not in compliance with all of its terms by February 20, 1996, you will be subject to the penalty of suspension.

It pains me deeply that you have not been open to working with me in a constructive fashion that might have precluded any need to issue this formal decree. I pray that God will help you now to a conversion of heart and a willingness to cooperate with me in accord with your priestly promise of obedience.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

195164

cc: [REDACTED]
[REDACTED]



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

DECREE

DETERMINATION CONCERNING A CANONICAL PENALTY AND DECLARATION OF AN IMPEDIMENT TO THE EXERCISE OF ORDERS AFFECTING REVEREND JOSE I. UGARTE

In a decree dated 24 June 1994, I opened a canonical investigation into the possibility that Reverend Jose I. Ugarte violated canon 1378, §1. Prior to this, information had come to the Archdiocese of sexual misconduct on the part of Reverend Ugarte. Intervention on these reports was made, the truth of reports confirmed, and Father Ugarte was sent to receive treatment at the Saint Luke Institute, Suitland, Maryland.

The preliminary investigation revealed that there was substantial evidence that an ecclesiastical crime was committed. Therefore, in a decree dated 19 July 1994, I set in motion the formal penal process to verify the facts in view of the possibility of declaring that the *latae sententiae* penalty connected with canon 1378, §1, had been incurred.

On July 30, 1994, I informed Reverend Ugarte of the charge. In accord with the provisions of canon 1722, and having consulted the Monsignor [REDACTED], the Promoter of Justice, I also issued a precept binding Reverend Ugarte to certain requirements in order to protect the people of God.

When Father Ugarte did not appoint an advocate as of the deadline provided, I appointed an advocate in his behalf on September 7, 1994. On September 8, 1994, I cited Reverend Ugarte to appear at the Archdiocesan Curia for a canonical hearing in the matter, scheduled on October 27, 1994.

Father Ugarte wrote me in a letter of September 19, 1994. He made no mention of the hearing, made no request to reschedule it. He did not appear on October 27, 1994, when that first hearing was conducted. Given that his letter of September 19, 1994, indicated his mother was suffering from an illness, I determined to give him every benefit of the doubt. Therefore, in a letter of November 22, 1994, I cited Reverend Ugarte a second time and asked him to appear at a hearing on December 8, 1994.

Reverend Ugarte and his advocate appeared at this second hearing. He was confronted with the charges and made a response. Reverend Ugarte chose to take the oath and testified

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*Determination Concerning a Canonical Penalty and
Declaration of an Impediment to the Exercise of Orders
Affecting Reverend Jose I. Ugarte
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concerning his actions and intentions. He denied having attempted to give absolution. At the conclusion of that hearing, Reverend Ugarte denied ever having received the precept issued on 30 July 1994. The signed receipt from the Post Office indicating that Reverend Ugarte personally received that letter was shown to him. He acknowledged that it was his signature on the receipt, but denied knowing the contents of the letter. A copy of the precept was given to him at this time, and he was informed that he must abide by its terms.

Subsequent to the hearing, a copy of the summary of the testimony given at the hearing was sent to both Reverend Ugarte and his advocate. Neither challenged the accuracy of the summary, and hence it is incorporated into these acts.

In a phone call, Reverend Ugarte's advocate indicated the possibility of a solution involving an agreement that Reverend Ugarte would return home to Spain to be with his mother, accepting the restriction that he would avoid all forms of public ministry and that the proper ecclesiastical authorities would be notified of his condition. This agreement would be in exchange for suspending the penal process and any declaration that the penalty was incurred, and asking the Congregation in Rome to remit the penalty insofar as it may have been incurred. I was open to such an agreement, and withheld action on concluding the penal process. After a period of many months, however, it became apparent that Reverend Ugarte was not serious in negotiating an agreement. I also received indications that he was violating the terms of the precept.

Therefore, on July 30, 1995, I wrote Reverend Ugarte proposing the text of an agreement between us. I asked him to reply by August 21, 1995, informing him that I would resume the penal action if no agreement was finalized. Despite efforts by his advocate, Reverend Ugarte made no response to the proposal.

In attempting to discern the truth, I have painfully concluded that the testimony of Reverend Ugarte denying the allegation of Mr. [REDACTED] is not credible. As the acts of this case indicate, Reverend Ugarte's statements at the hearing differ from statements made earlier in my presence and that of Monsignor Timothy Dyer. While those statements were not made under oath, they were made as part of a very serious discussion with his bishop. Other statements by Reverend Ugarte have also called into question his credibility. He denied knowing of the precept despite clear evidence that he signed for the documents. If he was truly unaware of the contents of that mailing, why did he not immediately question the references in my letter of November 22, 1994, which explicitly referred to the earlier letter and earlier hearing? Thus, his assertion that he was unaware of the precept is not credible. In addition, since being handed the precept directly on December 8, 1994, Reverend Ugarte has made no attempt to comply with its provisions, despite indicating that he was aware the precept bound under obedience. Furthermore, he indicated through his advocate a willingness to negotiate

*Determination Concerning a Canonical Penalty and
Declaration of an Impediment to the Exercise of Orders
Affecting Reverend Jose I. Ugarte
Page: 3*

an agreement, but never made any effort to propose terms for such an agreement. Nor did he respond to my own attempt to propose an agreement. The combination of these factors is telling. As a result, I find that Reverend Ugarte and his testimony cannot be trusted. On the contrary, I find Mr. [REDACTED] testimony to be consistent and credible.

The advocate for Father Ugarte argues that, given the psychological assessment conducted by the Saint Luke Institute, that it should be concluded that Reverend Ugarte was not imputable for the alleged crime. The psychological report does indicate that Reverend Ugarte is seriously disturbed. Furthermore, the acts establish that Reverend Ugarte has refused to comply with his aftercare agreement and is unwilling to remain committed to a course of treatment that would assist him. Nonetheless, to be imputable for a crime does not require that a person be fully psychologically stable. In examining the provisions of canon 1324, I do not find that Father Ugarte had an imperfect use of reason or lacked the use of reason (canon 1324, §1, 1°-2°). The only possible mitigating clause would be canon 1324, §1, 10°. Yet, the obligation not to attempt to absolve an accomplice in a sin against the sixth commandment is one of the most basic and easily understood of all obligations imposed on clerics. The evidence indicates that due to his psychological condition Father Ugarte may not be fully imputable for the crime of sexual misconduct; it is a very different thing to conclude he is not fully imputable for the crime of attempted absolution. The mere presence of a psychological disorder does not establish that Reverend Ugarte was not imputable. Since according to canon 1321, §3, imputability is presumed whenever an external violation has occurred, and since the psychological evidence contains no proof to overturn this presumption, I have concluded that Father Ugarte is seriously imputable as understood by canon 1321, §1.

The two assessors named for this action differ in their analysis of the evidence and their recommendations. [REDACTED], believes that the evidence does establish that Reverend Ugarte violated canon 1378, §1, and that he is seriously imputable for that violation. [REDACTED] questioned whether there was certainty of a violation in face of the denial of Reverend Ugarte. [REDACTED] also raised an important jurisprudential question, namely, whether the penalty could be incurred outside of the normal context of the sacrament of penance, in which the penitent requests absolution and the sacrament is celebrated integrally.

In analyzing the animadversions of the Assessors, I find myself in agreement with [REDACTED] in accepting that there was an attempt to impart absolution, and that Father Ugarte's denial is not credible. I find myself in disagreement with [REDACTED] reasoning. [REDACTED] thinking creates a higher standard than that of the canons. Canon 977, to which canon 1378 refers, does not state: "celebrates the sacrament of penance" or "hears confession in a confessional." It states simply that the attempted absolution is invalid. The

*Determination Concerning a Canonical Penalty and
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ecclesiastical crime of attempting to absolve an accomplice in a sin against the sixth commandment does not seem to envision that the violation occur only in a confessional. In fact, the very nature of this crime is such that it would be far more likely to occur outside of a church. In addition, I note that the text of paragraph two, number two of canon 1378 states: ". . . a person who attempts to impart sacramental absolution or (vel) a person who hears a sacramental confession when . . ." In this text, the legislator has distinguished the two actions, envisioning the possibility of an attempt to impart absolution outside the full context of a sacramental confession. Since the legislator has made use of this distinction, it appears to me that the wording of canon 977 is quite deliberate, and refers to any attempt to impart absolution. Likewise, the canons do not require that the accomplice make an explicit request for absolution; the attempt to impart it, however that attempt might be motivated, meets the requirements of the law.

Despite the fact that I disagree with [REDACTED] analysis of the matter, I am fully aware that penal law must be strictly interpreted. There is little or no jurisprudence available on the interpretation and application of canons 977 and 1378, §1. Given the serious nature of the matter, this lack of jurisprudence presents a grave obstacle. I [REDACTED] argument is correct and the jurisprudence of the Congregation of the Doctrine of the Faith only envisions this *latae sententiae* penalty being incurred within the context of a full celebration of the Sacrament of Penance, then for me to declare the existence of the penalty would be inaccurate.

Having considered all the evidence in the matter, having provided every opportunity to come to a less onerous conclusion, having sought appropriate counsel and prayed for the guidance of the Holy Spirit, I have reached moral certitude concerning several matters, and have made the following determination for the good of the Church and for the correction of Father Ugarte. Therefore, I hereby decree:

- 1) Reverend Jose I. Ugarte did violate canon 1378, §1, by attempting to absolve [REDACTED] [REDACTED]. This violation occurred on more than one occasion.
- 2) In doing so, Reverend Jose I. Ugarte was seriously imputable.
- 3) I am personally convinced that Reverend Ugarte thereby incurred the *latae sententiae* excommunication connected with that violation. At the same time, in the absence of any jurisprudence to guide me, I have determined that it is not opportune for me to issue a declaration that the penalty has been incurred. Rather, I order that the entire matter be forwarded to the Congregation for the Doctrine of the Faith, asking the Congregation to review the case and to declare the penalty if it meets the standards of the applicable jurisprudence.

*Determination Concerning a Canonical Penalty and
Declaration of an Impediment to the Exercise of Orders
Affecting Reverend Jose I. Ugarte
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- 4) Given the serious damage caused by Reverend Ugarte's actions, given his continued lack of genuine repentance or any efforts to cooperate to repair scandal, given the report from the Saint Luke Institute and the many other actions of Reverend Ugarte that reveal that he undoubtedly suffers from serious psychological impairments, I declare that the evidence establishes Reverend Ugarte is impeded from the exercise of sacred orders according to the provision of canon 1044, §2, 2°. As a result, he is not to exercise any of the power of orders.

- 5) In addition, I find that Reverend Ugarte is in violation of most if not all of the provisions of the precept which I issued on 30 July 1994. There is evidence that he received the document on August 5, 1994, despite his claims to the contrary. There can be no doubt that he received the precept on December 8, 1994, when it was handed to him in the Curia of the Archdiocese of Los Angeles. That precept contained a canonical warning that violation of its terms would subject Reverend Ugarte to the possibility of a penalty for disobedience in accord with canon 1371, 2°. I find that there has been persistent disobedience. I hereby issue a second canonical warning. Reverend Ugarte is hereby put on notice that by February 20, 1996, he must withdraw from contumacy and abide by all of the provisions of the precept of 30 July 1994. If he does not fully comply with the provisions of that precept by February 20, 1996, I will impose the censure of suspension (canon 1333) upon him for persistent disobedience.

I order that this decree be published to Reverend Jose I. Ugarte, to his advocate, and to [REDACTED], diocesan bishop of the Diocese of San Bernardino where Reverend Ugarte is presently domiciled. I authorize [REDACTED] to make the fact of the declaration of the impediment known to the pastor of the parish within which Reverend Ugarte resides and to others that, in his judgment, need to be informed. I also order that [REDACTED] be officially informed of the action taken, although he need not receive a copy of the full decree. The pastors of the Archdiocese of Los Angeles will be informed that Reverend Ugarte is not in good standing, and no permission or delegation should be extended to him for any ministry in their parishes.

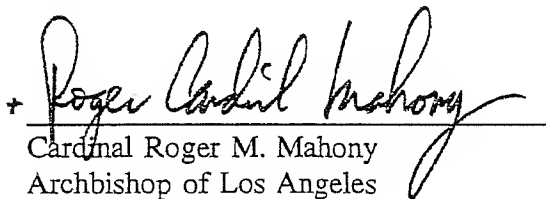
I formally warn Reverend Ugarte that should he attempt to exercise the power of orders he does so illicitly. Since his faculties have already been removed, it is appropriate to add the reminder that any attempt to celebrate the sacrament of penance or to witness an exchange of marriage vows is illicit, invalid, and would subject Reverend Ugarte to further penalties for simulating a sacrament (canon 1379). I further warn Reverend Ugarte that should he attempt to present himself as a priest in good standing, engage in any form of ministry, or act in any way against the terms of this declaration, that this decree will be published more widely in order to protect the People of God.

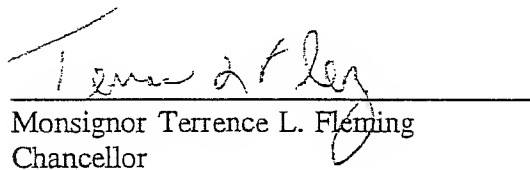
*Determination Concerning a Canonical Penalty and
Declaration of an Impediment to the Exercise of Orders
Affecting Reverend Jose I. Ugarte*
Page: 6

Since Reverend Ugarte has failed to cooperate with the provisions of the precept and with efforts to assist him in facing his many problems, with due regard to my responsibilities under canon 1350, I further order that no payments of remuneration, benefits or other support be made to him by the Archdiocese of Los Angeles until I direct otherwise.

I urge Reverend Ugarte to acknowledge his offenses before God and Our Lord Jesus Christ, to repent and make amends for them, to fulfill his promise of obedience by accepting the guidance of his legitimate ecclesiastical superiors, and to cooperate with me in working toward a more permanent resolution of the difficulties that have led to this sad day.

Issued in the Curia of the Archdiocese of Los Angeles on the 5th day of February in the Year of Our Lord 1996.

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles


Monsignor Terrence L. Fleming
Chancellor

Archdiocesan Seal

195170



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

February 6, 1996

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

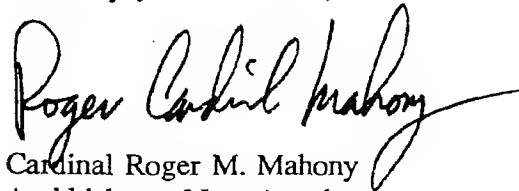
Dear Father Ugarte:

It is with great sadness that I have issued the enclosed decree declaring you impeded from the exercise of orders. I urge to read the decree very, very carefully and to consult with your advocate about its meaning. I specifically call your attention to several aspects of the decree:

- 1) The declaration of this impediment prevents you from any licit exercise of the power of Holy Orders.
- 2) I am forwarding the file to the Congregation of the Doctrine of the Faith, asking that they consider the question of declaring the penalty of excommunication.
- 3) This decree contains a second canonical warning concerning violations of the provisions of the precept which I have issued to you, specifying that if you are not in compliance with all of its terms by February 20, 1996, you will be subject to the penalty of suspension.

It pains me deeply that you have not been open to working with me in a constructive fashion that might have precluded any need to issue this formal decree. I pray that God will help you now to a conversion of heart and a willingness to cooperate with me in accord with your priestly promise of obedience.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: [REDACTED]
[REDACTED]

25283



COPY

Archdiocese of Los Angeles

Office of
the Archbishop1531
West Ninth
StreetLos Angeles
California
90015-1194

February 8, 1996

██████████
c/o St. John's Seminary
5012 Seminary Road
Camarillo, CA 93012

CONFIDENTIAL

Dear Mr. ██████████

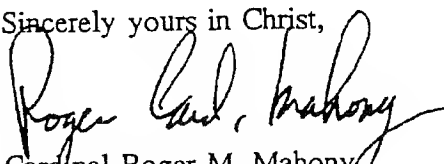
As you know, subsequent to your letter to Monsignor Dyer about Reverend Jose I. Ugarte, I initiated a canonical investigation into the matter. I thank you very much for bringing this to our attention, and for testifying as part of that formal process.

The process was delayed as we tried to facilitate a more pastoral solution. Sadly, Father Ugarte was not open to our efforts in this regard. Therefore, this is to officially inform you that, after due process of canon law, I have declared Reverend Jose I. Ugarte impeded from the exercise of sacred orders. As a result of this declaration, Father Ugarte cannot present himself as a priest in good standing, and any attempt on his part to exercise the power of orders is illicit. I also wish to inform you that I am forwarding the matter of Father Ugarte to the appropriate authorities in Rome for further review.

Since you have been involved, I felt it my duty to inform you of the action I have taken. At the same time, despite his behavior, I have a responsibility to prevent any excessive or illegitimate damage to the reputation of Father Ugarte. For that reason, I ask that you keep this letter confidential. Should you believe there is a need for you to share the information with any others, I ask that you first consult with Monsignor Richard Loomis, the new Vicar for Clergy. For your information, I am informing the bishop of the diocese in which Father Ugarte resides of my determination, and will be informing the pastors of the Archdiocese that Father Ugarte is not in good standing and is not to engage in any ministerial activities.

Again, thank you for coming forward. I pray that God will continue to bless you.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

cc: Monsignor Richard A. Loomis

25282



COPY

Archdiocese of Los Angeles

Office of
the Archbishop1531
West Ninth
StreetLos Angeles
California
90015-1194

February 8, 1996

Bishop Gerald Barnes
Diocese of San Bernardino
1201 East Highland Avenue
San Bernardino, CA 92404

CONFIDENTIAL

Dear Bishop Barnes:

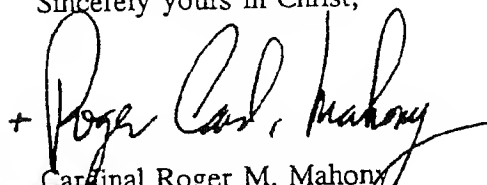
Enclosed for your information is an authentic copy of a decree I have issued, declaring Reverend Jose I. Ugarte impeded from the exercise of sacred orders. Also enclosed is a copy of my cover letter to Reverend Ugarte.

Reverend Ugarte is presently domiciled in your diocese. Since we have received solid information that he continues to exercise and oversee ministerial activities at his residence in Big Bear City, I felt the need to formally notify you of this decree. In accord with the decree, you are free to notify the pastor of the parish in which Reverend Ugarte resides of the fact of this declaration, as well as others who, in your judgment, need to be made aware of this. Out of a desire not to unduly damage Reverend Ugarte's reputation, I ask that you not provide copies of the full decree to others unless in your judgment that is truly necessary.

As you can see from the decree, Reverend Ugarte is in violation of a precept issued to him, which enjoined him from any ministerial activities and prohibited his residence in any a number of dioceses including your own. A copy of this precept is enclosed for your information. I may need to call on your assistance after February 20, 1996, to seek information on whether or not Reverend Ugarte continues to violate the terms of the precept.

Should you have any questions, please feel free to contact me. I pray God's continued blessings upon you and your ministry.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

enclosures: decree, cover letter, and precept

25281

Pastoral Regions: Our Lady of the Angels San Fernando San Gabriel San Pedro Santa Barbara

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Page 002

02/08 '96 14:09

ID:ARCHDIOCESE LA FAX

FAX:2132512607

PAGE 2



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(712) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

February 8, 1996

Dear Father/Monsignor,

It is with sadness that I write concerning the status of a brother priest,

Reverend Jose I. Ugarte.

Many of you are aware that Father Ugarte has not been active in ministry since April of 1993. However, I must now inform you that, as the result of a Canonical Proceeding, Father Ugarte is no longer a priest in good standing of this Archdiocese, nor is he permitted to exercise any form of priestly ministry.

I wish to assure you that for several years the Archbishop has made every effort to reconcile the differences between the Archdiocese and Father Ugarte, as well as providing support to him during this time.

If Father Ugarte asks to exercise ministry in your parish or if you learn from a reliable source that he is active in ministry in your area, I ask that you please inform me as soon as possible. Please keep Father in your prayers, as well as all our brothers who are no longer active in ministry.

Sincerely yours in Christ,

Reverend Monsignor Richard A. Loomis
Vicar for Clergy

195145



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

February 8, 1996

[REDACTED]
c/o St. John's Seminary
5012 Seminary Road
Camarillo, CA 93012

CONFIDENTIAL

Dear Mr. [REDACTED]

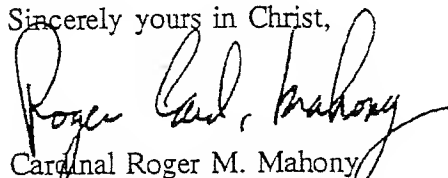
As you know, subsequent to your letter to Monsignor Dyer about Reverend Jose I. Ugarte, I initiated a canonical investigation into the matter. I thank you very much for bringing this to our attention, and for testifying as part of that formal process.

The process was delayed as we tried to facilitate a more pastoral solution. Sadly, Father Ugarte was not open to our efforts in this regard. Therefore, this is to officially inform you that, after due process of canon law, I have declared Reverend Jose I. Ugarte impeded from the exercise of sacred orders. As a result of this declaration, Father Ugarte cannot present himself as a priest in good standing, and any attempt on his part to exercise the power of orders is illicit. I also wish to inform you that I am forwarding the matter of Father Ugarte to the appropriate authorities in Rome for further review.

Since you have been involved, I felt it my duty to inform you of the action I have taken. At the same time, despite his behavior, I have a responsibility to prevent any excessive or illegitimate damage to the reputation of Father Ugarte. For that reason, I ask that you keep this letter confidential. Should you believe there is a need for you to share the information with any others, I ask that you first consult with Monsignor Richard Loomis, the new Vicar for Clergy. For your information, I am informing the bishop of the diocese in which Father Ugarte resides of my determination, and will be informing the pastors of the Archdiocese that Father Ugarte is not in good standing and is not to engage in any ministerial activities.

Again, thank you for coming forward. I pray that God will continue to bless you.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

195152

cc: Monsignor Richard A. Loomis

Pastoral Regions: Our Lady of the Angels San Fernando San Gabriel San Pedro Santa Barbara



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

February 6, 1996

Rev. Jose I. Ugarte
[REDACTED]
[REDACTED]
[REDACTED]

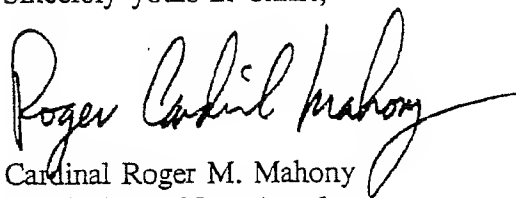
Dear Father Ugarte:

It is with great sadness that I have issued the enclosed decree declaring you impeded from the exercise of orders. I urge to read the decree very, very carefully and to consult with your advocate about its meaning. I specifically call your attention to several aspects of the decree:

- 1) The declaration of this impediment prevents you from any licit exercise of the power of Holy Orders.
- 2) I am forwarding the file to the Congregation of the Doctrine of the Faith, asking that they consider the question of declaring the penalty of excommunication.
- 3) This decree contains a second canonical warning concerning violations of the provisions of the precept which I have issued to you, specifying that if you are not in compliance with all of its terms by February 20, 1996, you will be subject to the penalty of suspension.

It pains me deeply that you have not been open to working with me in a constructive fashion that might have precluded any need to issue this formal decree. I pray that God will help you now to a conversion of heart and a willingness to cooperate with me in accord with your priestly promise of obedience.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

194675

cc: [REDACTED]
[REDACTED]



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

February 6, 1996

[REDACTED]
[REDACTED]
[REDACTED]

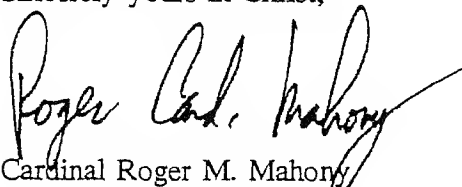
Dear Father [REDACTED]

Enclosed is a copy of a letter and a decree that I am sending to Reverend Jose I. Ugarte, informing him of my determination in the penal process.

I thank you for your service as advocate for Father Ugarte. I am sure that you will make yourself available to him should he desire to take any recourse against this decree. Should he do so, I hope that you also might reinforce the warning that he must abide by the provisions of the precept or be liable for the penalty of suspension. I pray that you might be able to help Father Ugarte face his situation more realistically.

Thank you again for your service as advocate. May God continue to bless you.

Sincerely yours in Christ,

+ 
Cardinal Roger M. Mahony
Archbishop of Los Angeles

enclosures

194676



MEMORANDUM

TO: Cardinal Roger Mahony
FROM: Monsignor [REDACTED]
RE: Reverend Jose I. Ugarte
DATE: 5 February 1996

Attached are two originals of the decree we agreed to complete today. Should you wish to recommend any changes, please do so. If the decree is acceptable as is, please sign both and have Monsignor Fleming notarize both.

Also attached are letters to Father Ugarte and his advocate, dated tomorrow (February 6). Please sign these as well, and have a copy of the signed version of the letter to Father Ugarte made. Then please have the following done:

- 1) Send one original of the decree with the cover letter to Father Ugarte by return receipt requested mail.
- 2) Return the other decree, a copy of the signed letter to Father Ugarte, and the letter to Father [REDACTED] to me. I will see to having his copy sent to him.

I will be preparing for your signature a letter to Bishop Barnes. I will also discuss with Monsignor Loomis the appropriate way to notify Mr. [REDACTED] and the pastors of the Archdiocese.

Thank you.

194677

XXXIII 000889

Loomis, Msgr. Richard A.

From: [REDACTED]
Sent: Thursday, September 04, 1997 4:49 PM
To: Loomis, Msgr. Richard A.
Subject: Call from L [REDACTED]

[REDACTED] called today at 4:45 p.m. He wanted you to know that a lady named [REDACTED] will be calling you from the prayer group from Holy Rosary, Sun Valley. Her group has invited Jose Ugarte to come to their prayer group to speak. [REDACTED] said he spoke to her for 45 min. as to why this is not a good idea. She would rather speak to a priest. He gave her your number. Her number is [REDACTED] You don't have to call her, but he wanted you to be aware of her call to you.

The word out about Jose Ugarte is that he does not have faculties right now, but he's coming back -- this is just a temporary discipline.

[REDACTED]



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

September 5, 1997

[REDACTED]

Our Lady of the Holy Rosary Church
7800 Vineland Avenue
Sun Valley, CA 91352-4596

Dear Father [REDACTED]

The Hispanic Ministry Office of the Archdiocese of Los Angeles has notified us that a woman named [REDACTED] called identifying herself as representing the prayer group from your parish. She informed us that the group has invited Reverend José Ignacio Ugarte to come and speak to the prayer group.

I want to inform you that Father Ugarte is not in good standing with the Archdiocese of Los Angeles, does not hold the faculties of the Archdiocese, and has been instructed by the Archbishop not to participate in active ministry.

I ask for assistance in ensuring that he does not have access to the prayer group in your parish. If I can be of further assistance, do not hesitate to call me.

Sincerely yours in Christ,

Reverend Monsignor Richard A. Loomis
Vicar for Clergy

P.S. I do not have [REDACTED] last name. She left her phone number as ([REDACTED])

25046



Archdiocese of Los Angeles

Office of the
Vicar for Canonical Services
(213) 637-7888

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

March 3, 1999

Rev. José I. Ugarte
[REDACTED]
[REDACTED]

Dear José:

[REDACTED] and I, under the direction of the Cardinal, have undertaken the task of reaching out to the men who are no longer in active ministry of the priesthood for the Archdiocese of Los Angeles. We have discovered older communications with you in the files here at the Archdiocesan Catholic Center but we didn't find anything recent about how you are getting along. Striving to continue the compassionate concern Christ surely has for you, we would like to invite you to share with us how things are going for you at this time, and to inquire if there is any way we can be of help or service to you. The Cardinal and we do care and want to be available to you.

There is no indication that you asked to initiate a laicization case for yourself. Perhaps you hadn't heard that the Holy Father has begun accepting those petitions again, several of them for men who once served here in Los Angeles are being processed right now. If you would like to know more about this please feel free to contact [REDACTED] or myself and we will be happy to discuss the way this would proceed in your particular situation.

We are eager to help facilitate the full practice of the Faith for everyone. But even if you have no particular need or desire at this time, we would appreciate hearing from you.

If you think we can be of service to you in any way please don't hesitate to call upon us.

Sincerely in Christ

[REDACTED]

[REDACTED]
Canonical Services Coordinator

25039



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-72843424
Wilshire
BoulevardLos Angeles
California
90010-2241

April 23, 1998

[REDACTED]
Office of Hispanic Ministry
3424 Wilshire Boulevard
Los Angeles, CA 90010

Dear Mr. [REDACTED]

In answer to your inquiry about the Reverend Jose I. Ugarte, I can tell you the following:

As the result of a canonical procedure, in which Father Ugarte was represented by a canonical advocate, it was determined that:

- Father Ugarte is not in good standing with the Archdiocese of Los Angeles
- Father Ugarte does not hold the Faculties of the Archdiocese of Los Angeles
- Father Ugarte has been specifically instructed by the Cardinal Archbishop not to participate in active ministry

If Father Ugarte is persisting in his attempts to participate in active ministry, he is in violation of a canonical precept in which he was clearly notified of the above and instructed by the Cardinal Archbishop to cease his involvement in any active ministry.

If he is attempting to present himself as a Catholic priest in good standing with the Roman Catholic Church (and specifically with the Archdiocese of Los Angeles), he is not being truthful. If you should hear of any attempts on his part to present himself for active ministry, I would appreciate being informed immediately.

I hope this information is helpful.

PAX!

Reverend Monsignor Richard A. Loomis
Vicar for Clergy

25044



Archdiocese of Los Angeles

Office of the
Vicar for Canonical Services
(213) 637-78883424
Wilshire
BoulevardLos Angeles
California
90010-2241

February 11, 1999

Rev. José I. Ugarte
[REDACTED]
[REDACTED]

Dear Jose:

Fr. [REDACTED] and I, under the direction of the Cardinal, have undertaken the task of reaching out to the men who are no longer in active ministry of the priesthood for the Archdiocese of Los Angeles. We have discovered older communications with you in the files here at the Archdiocesan Catholic Center but we didn't find anything recent about how you are getting along. Striving to continue the compassionate concern Christ surely has for you, we would like to invite you to share with us how things are going for you at this time, and to inquire if there is any way we can be of help or service to you. The Cardinal and we do care and want to be available to you.

There is no indication that you asked to initiate a laicization case for yourself. Perhaps you hadn't heard that the Holy Father has begun accepting those petitions again, several of them for men who once served here in Los Angeles are being processed right now. If you would like to know more about this please feel free to contact Fr. [REDACTED] or myself and we will be happy to discuss the way this would proceed in your particular situation.

We are eager to help facilitate the full practice of the Faith for everyone. But even if you have no particular need or desire at this time, we would appreciate hearing from you.

If you think we can be of service to you in any way please don't hesitate to call upon us.

Sincerely in Christ

[REDACTED]
[REDACTED]
Canonical Services Coordinator

25038

St. Helena Roman Catholic Church

8912 South Gate Avenue
South Gate, CA 90280
Phone (323) 563-3522

August 7, 2001

Rev. Msgr. Richard Loomis
3424 Wilshire Blvd.
Los Angeles, CA 90010-2241

Dear Msgr. Loomis:

I am writing you in regard to our conversation on August 6, 2001 regarding **Fr. Jose-Ignacio Ugarte**. You promised that you would send this letter to the present Vicar of Clergy, Msgr. Craig Cox who was on vacation when we talked.

Through our conversation I reported to the meeting that I had with the family and a friend of [REDACTED]. They came to me asking if there was any way that I could assist them from the inappropriate control that Fr. Jose-Ignacio Ugarte had over their mother. For the past years [REDACTED] has abandoned her home and family to live serving the needs of Fr. Jose in Big Bear. They reported to me that he has established a retreat house in Big Bear for which he solicits money from people throughout the Archdiocese for support. They told me he has over five hundred people on his mailing address (please see copy of solicitation card enclosed).

At the present time Fr. Jose has moved from Big Bear and is possessing one of the houses belonging to [REDACTED] where she lives in a room that is not fit for habitation according to her son. Fr. Jose is using this new residence as a center to heal and pray for those in need and to solicit money. I, however, cannot confirm that he is performing any priestly function beyond this.

I realize that there is not much we can do, however, upon your advise I am documenting this meeting. The family would appreciate any help they can receive from the church in dealing with this errant priest. I have offered to meet the mother and try to convince her, however, the family believe that she is beyond being convinced by anyone that Fr. Jose is not a special messenger sent from God. I advised them to seek a lawyer to try to protect Maria's estate and her future. If you wish to further information please feel free to call on contact the following (only granddaughter speaks English).

[REDACTED]

[REDACTED]
H [REDACTED]

[REDACTED]

Yours in Christ,

[REDACTED]
Pastor

CC: Msgr. Craig Cox

25033

NOMBRE: _____

Esta es mi donación para el pago y mantenimiento
de nuestra cabaña de Big Bear City: "EL REFUGIO"

☐ 5 DOLARES

☐ 10 DOLARES

☐ 20 DOLARES

☐ _____

Comentario (s): _____

CLERGY DATABASE

Last: Ugarte

Title: Rev.

First: Jose

Middle: I.

Color **Blue**

04/09/93 Sick Leave. Supposedly signed into Mater Dolorosa Retreat House
 04/14/93. Msgr. [REDACTED] checking and it is hard to tell if he has gone to Mater
 Dolorosa or not. However airline tickets for St. Luke's (one-way) are being sent
 to him there 04/24/93. 11/02/93 Returning from St. Luke's but not to ministry..
 Will be living in Big Bear and is to give us an address. 03/25/94 address is
 [REDACTED] Phone ([REDACTED])

07/30/95 Cardinal sent letter to Ugarte enclosing "proposed agreement" to be
 signed by him and Cardinal. For purposes of this desk: If agreement is signed as
 is (highly unlikely) then Ugarte is to be kept on RETA "indefinitely", a stipend
 of \$400 per month is to be implemented for him from first calendar month after
 agreement date THROUGH DECEMBER 1996. (Agreement calls for his return to Spain
 not to come back without written authorization of Cardinal Archbishop here for
 seven years and after that (2002) only with such written authorization. Status
 Per Msgr. Loomis all benefits for Jose Ugarte ceased on 02/20/96. COBRA was
 offered to him on 03/07/96.

*3/4/99 Father [REDACTED] from the Canonical
 Services Office, took his two files.*

Cox, Msgr. Craig A.

From: Loomis, Msgr. Richard A.
Sent: Monday, August 06, 2001 3:44 PM
To: Cox, Msgr. Craig A.
Cc: [REDACTED]
Subject: FW: Call from Fr. [REDACTED]

Importance: High

Fr. [REDACTED] had a family with him with a concern about Father Ugarte. According to Father [REDACTED], their 70-year-old mother is up in Big Bear with Father Ugarte, has signed most of her money over to him and is living in a small closet of a room. They are concerned that everything is being taken from her.

He also said that they brought him an envelope that Father Ugarte sends out monthly to some 500 families asking for money to maintain him in his place in Big Bear. While not saying Mass, he evidently promises to pray for them in return for donations.

I asked Father [REDACTED] to send a copy of the envelope, the family's contact information and a summary of their report to you. I also advised Father [REDACTED] to suggest that the family consult a civil attorney to see what can be done to protect their mother.

RAL

-----Original Message-----

From: [REDACTED]
Sent: Monday, August 06, 2001 3:13 PM
To: Loomis, Msgr. Richard A.
Subject: Call from Fr. [REDACTED]

Father [REDACTED] had some questions regarding Father Jose Ignacio Ugarte (in-active leave, lives in Big Bear). Please call him at [REDACTED].

L.M.

*Jose C. Garte*

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

TELECOMMUNICATION COVER LETTER

CONFIDENTIALDATE: APRIL 19. 1003TIME: 12:00 NOONFOLLOWING IS A FIVE PAGE DOCUMENTTO: [REDACTED]ADDRESS: ST. LUKE INSTITUTE 2420 BROOKS DRIVE SUITLAND MD 20746FAX NO: [REDACTED]FROM: OFFICE OF THE VICAR FOR CLERGY
ARCHDIOCESE OF LOS ANGELES
FAX NO: (213) 251-2607CONFIDENTIALITY NOTICE

This transmission is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient, you are hereby notified that any disclosure, distribution, or copying this information is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone, and return the original documents to us at the above address via the United States Postal Service.

If all pages are not received or not readable, please call (213) 251-3284.

25258

To KK

Date 6-24 Time 11:55

While You Were Out

M Fr. Jose Ugarte

of _____

Phone [REDACTED]

AREA CODE	NUMBER	EXTENSION
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	

☐ RETURNED YOUR CALL

Message Mrs. Rizer would
like to be present
at this meeting

Thursday June 30 at 2:00
with [unclear]

Operator

CARDINAL 4C200

ID UGARTE CASE

My memo to Hsg. Cof
is self explanatory.

I am returning the
sheaf to you because
there is info on the
agreement itself to be
filed in.

✓
see my
7/28 memo

Cardinal

I realize this is a rather thick packet of materials to read through - now that you have just returned. If you are able to get through it, it will be helpful for tomorrow's 2pm mtg. with Ugarte.

[redacted] said [redacted] & I could meet with you at 1:45. We'll bring in a proposed outline for the meeting.

Peace,
Tui

Last Ugarte	Title Rev.	First Jose	Middle I.	
Birthplace Spain	Delica (Alava)	Year 1941	REDACTED	Age
Ordained 71	Seminary St. John, Camarillo, CA			
Order	Incardinated X	Diocese		
Diocesan	Religious	Living/Working	Inactive X	Rite
Institution				Assigned 93
Address1		Address2		
City		State	Zip	Country
Home	Work	Private		FAX
Status Inactive-Leave				
Comment DO NOT GIVE OUT:REDACTED				

Date Entered 11/18/93	Date Assigned 11/01/93
Deanery 0	Title3 Father
Will X	Retired in Rectory
	Title4(Dean)
	Salutation Jose
	C X
	SS# REDACTED

```
St. Thomas, Los Angeles - Associate 06/14/71
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa
Find   Add   Modify   Remove   Sort   Output   Layout   Define   Zoom
```

```
Priests.db                               Browse                               1 Record found
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa
City                                     State                               Zip                               Country
Home                                   Work                               Private                               FAX
Status  Inactive-Leave
Comment DO NOT GIVE OUT: REDACTED
```

Date Entered 11/18/93	Date Assigned 11/01/93
Deanery 0	Title3 Father
Will X	Retired in Rectory
	C X
	Salutation Jose
	SS# REDACTED

Appointments

St. Thomas, Los Angeles - Associate 06/14/71
Santa Clara, Oxnard - Associate 06/16/75
Presentation, Los Angeles - Associate 02/10/79
St. Matthias, Huntington Park - Associate 07/09/83
St. Pius X, Santa Fe Springs - Associate 09/21/87
Sick Leave - 04/10/93
Inactive Leave - 11/01/93

```

Find      Add      Modify     Remove     Sort      Output     Layout     Define     Zoom

```

```
Priests.db                               Browse                               1 Record found
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa
City                                     State                               Zip                               Country
Home                                   Work                               Private                               FAX
Status  Inactive-Leave
Comment DO NOT GIVE OUT: REDACTED
```

ST. BEDE THE VENERABLE

215 FOOTHILL BLVD. • P.O. BOX 809 • LA CAÑADA FLINTRIDGE, CA 91012-0809 • 818 790-5155 • FAX 818 790-9520

MEMORANDUM

To: Cardinal Roger Mahony

From: [REDACTED]

Re: Rev. Jose Ugarte.

Your Eminence:

I am pleased to give you my input in this unfortunate matter involving Fr. Jose Ugarte.

The key issue of course is whether or not an attempt was made to celebrate the Sacrament of Reconciliation. If in fact the incident involving Mr. [REDACTED] was something else, then Canon 1378 is not applicable.

As is the case in all matters having to do with penalties, any applicable law is subject to the narrowest interpretation. (Canon 18) In the matter before us, there needs to be moral certitude that Mr. [REDACTED] did in fact approach Fr. Ugarte in ordine ad sacramentum.

Even if Fr. Ugarte's credibility is in question, Mr. [REDACTED] is not. He is unable to say with any conviction or clarity: "Yes, I approached Fr. Ugarte for the purpose of celebrating the Sacrament of Reconciliation", or "After talking with Fr. Ugarte I decided that I wanted to approach the Sacrament". On the contrary, Mr. [REDACTED] merely surmises from the words and actions of Fr. Ugarte that he had been given the absolution he did not request. (cf. Summary of hearing, I) With regard to the involvement of the penitent in the Sacrament of Reconciliation the Roman Ritual reads in part:

"The parts penitents themselves play in the celebration of the Sacrament are of the greatest importance. When with the proper dispositions they approach this saving remedy instituted by Christ and confess their sins, their own acts become part of the Sacrament itself, which is completed when the words of absolution are spoken by the minister in the name of Christ".

There was clearly not this kind of involvement on the part of Mr. [REDACTED]. Therefore, it cannot be reasonably concluded that he approached Fr. Ugarte with Reconciliation in mind. For that reason, I believe the penalty was not incurred.

Even if the Sacrament was celebrated, there remains the further

consideration of Fr. Ugarte's mental health. I am not privy to any psychological reports on Fr. Ugarte. Given that he spent some time at St. Luke's Institute, it is safe to assume some history of psychological disturbances. His advocate also believes this to be the case. While the law presumes imputability whenever an external violation of the law has occurred, (C.1321#3) nevertheless, this is a presumptio legis and will yield to contrary proofs. This may be the case with respect to Fr. Ugarte's presumed imputability. In that case the doctrine of Canon 1324#1,2&10 would be applicable:

"One who violates a law or precept is not exempt from a penalty but the penalty set by law or precept must be tempered or a penance substituted in its place in the offence was committed:

2: by a person who lacked the use of reason due to drunkenness or another similar mental disturbance which was culpable;

10: by one who acted without full imputability provided there was no grave culpability.

In other words, if these factors are operative, a latae sententiae penalty is not incurred. This may well be the case of Fr. Ugarte.

I would concur with Fr. [REDACTED]'s suggestion that a more appropriate ecclesial response would be to emply the remedy provided in Canon 1044 #2.2. There would seem to be ample cause to declare Fr. Ugarte impeded from exercising Orders due to a psychic defect.

I hope these comments will be helpful to you in this regrettable matter.

Respectfully submitted

[REDACTED]
[REDACTED]

Msgr. Richard Loomis

~~V. B. [REDACTED]~~
Archdiocese of Los Angeles
3424 Wilshire Blvd., Los Angeles, CA 90010
(213) 637-7[REDACTED] 890

GRAIG,

THIS CAME IN
WHILE YOU WERE
AWAY. I ASKED
[REDACTED] TO MAKE
A WRITTEN REPORT.

A THOUGHT: COULD
JOSE IGNACIO BE
ORDERED TO STOP
→

USING CHERICAL
TITLES + GARB?

RAL

LEVENGER 1-800-544-0880 BC010

~~_____~~

When you get a chance
(Mon or Tues) would you
pls come see me about
this

Many thanks,

Pat Tim

Dictz

I'll notify the canonist that
I'm writing him to serve
notice of end of all
benefits. Pls see me
Dex

TD

If a phone call comes
in:

① priests are not
technically employed

② F. Ugarte is on
inactive leave
from ~~the~~
ministry

Ugarte
C. J. J. L.



I BELIEVE YOU SAID
TO IGNORE THE
PREVIOUS ONE. SO

WE DID.

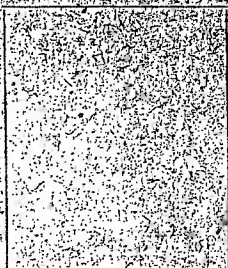
WHAT DO I DO NOW?

(ANTICIPATING A
PHONECALL -)
REDACTED

REDACTED

REDACTED

Another possible witness
- only if absolutely
necessary!



1.º año del curso medio

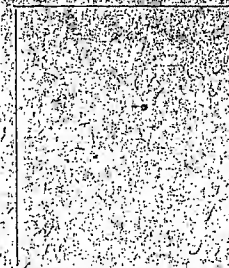


4.º año del curso medio

SEMINARIO DIOCESANO VITORIA



1.º de Filosofía



2.º de Teología

Nació el 29 de Julio de 1941 en Delicia parroquia de Se. María
diócesis de Vitoria provincia de Alava

Hijo de D. [redacted] de profesión Labrador y de D.ª [redacted]

Tiene 1 hermanos y [redacted] hermanas. Es el 1.º entre los hermanos.

Reside en Delicia (), calle n.º parroquia

Desde en (), calle n.º parroquia

Desde en (), calle n.º parroquia

Desde en (), calle n.º parroquia

Ingresa en Laguardia el día 1 Octubre 1954 para cursar 1.º de Latín

Procede de la Academia Almi-Orduña donde cursó primer año de Comercio

(Centro de enseñanza y lugar)

Salió del Seminario el _____ por _____

ORDENACIONES

Tonsura:	El _____	en _____
Ostiaro:	El _____	en _____
Lector:	El _____	en _____
Exorcista:	El _____	en _____
Acólito:	El _____	en _____
Subdiácono:	El _____	en _____
Diácono:	El _____	en _____
Presbítero:	El _____	en _____

1956

Curso 31

Ugarte Jose Ignacio

REDACTED

1.—Antecedentes familiares...

2.—Posición económica. Modest

REDACTED

3.—Salud.

4.—Conducta. Desigual

5.—Urbanidad. Cuidadoso

6.—Aplicación. Buena

7.—Talento. Buena

8.—Carácter. Reservado. Cerrado. Un poco orgulloso.

9.—Trato social. Retraído.

OBSERVACIONES:

Ugarte José Ignacio 1955
Curso 2.º
 REDACTED

1.—Antecedentes familiares...

2.—Posición económica. Reservada
 REDACTED

3.—Salud.

4.—Conducta. Buena sin destacar.

5.—Urbanidad. Buena

6.—Aplicación. Buena

7.—Talento. Buena

8.—Carácter. Reservada, suspicaz.

9.—Trato social. Reservado.

OBSERVACIONES: _____

1958

Ugarte José Ignacio

Curso

5º

1. - Antecedentes familiares.....
2. - Posición económica REDACTED
3. - Salud
4. - Talento
5. - Conducta Buena
6. - Aplicación Muy buena
7. - Urbanidad id.
8. - Docilidad id.
9. - Trato social. atento - afable - noble -
10. - Carácter. sentimental - tímido - constante

OBSERVACIONES

Es un niño grande - serio -
 Ha hecho muchos ejercicios -

1957

Ugarte dñe, José Ignacio

Curso 4 - 10mo.

1. - Antecedentes familiares.....
2. - Posición económica.....
3. - Salud. Fortachón
4. - Talento Capaz - dispuesto -
5. - Conducta Satisfactorio
6. - Aplicación Entusiasta
7. - Urbanidad Muy educado - Obediente y fuerte.
8. - Docilidad Obediente - cariñoso -
9. - Trato social. Muy buen compañero.
10. - Carácter. Muy afectivo - tímido - reflexivo

OBSERVACIONES

Se ha puesto en Jean José -

1960

Agusto José Juacín

Curso 7º

1. - Antecedentes familiares.
2. - Posición económica .
3. - Salud. *Muy robusto*
4. - Talento *Muy bueno*
5. - Conducta *Buena*
6. - Aplicación *Muy buena*
7. - Urbanidad *id.*
8. - Docilidad *id.*
9. - Trato social. *id.*
10. - Carácter. *Inestable - apasionado*

OBSERVACIONES

*Muy afectivo - tiene muchos intereses en las cosas - muy trabajador, muy piadoso - Poet. -
 vive en el trabajo en el sentimiento, por lo que tiene poca firmeza en sus ideas - etc.*

conciencia enseguida de lo contrario - Camarín de
 ánimo - preocupado - impetuoso - miedoso - des-
 iento --- Tiene que aprender a moderar estas
 pasiones y a ser más reflexivo que espontáneo.
 - Se le ha llamado la atención seriamente
 sobre una ocurrencia particular persistente con
un compañero.

1959

Elgarte José Juan:

Curso 6^o de Hum.

1. - Antecedentes familiares.
2. - Posición económica
3. - Salud. *Robusta -*
4. - Talento *Muy bueno*
5. - Conducta *id.*
6. - Aplicación *id.*
7. - Urbanidad *id.*
8. - Docilidad *id.*
9. - Trato social.
10. - Carácter. *Sentimientos - constantes - efectivos*

OBSERVACIONES

En tanto infantil - se va haciendo hombre - de mucho corazón - altibajos de ánimo - un poco apasionado - (madre - dice) - un tanto nervioso? - dice entre en coraje -

UGARTE, José Ignacio

Curso 1^o de Fil^a.

1. - Antecedentes familiares. /vid.fichas de 2^o y 3^o
2. - Posición económica
3. - Salud. Muy buena
4. - Talento Muy bueno
5. - Conducta Buena
6. - Aplicación Muy buena
7. - Urbanidad Muy buena, muy ordenado
8. - Docilidad Buena
9. - Trato social. Muy bueno
10. - Carácter. (vid, fichas anteriores)

OBSERVACIONES Muy activo y muy emotivo. Toma con mucho calor las cosas. Es precipitado y a las veces alborotado. Poco equilibrado. Se deja guiar por sus sentimientos. Confiado en sí mismo. Le cuesta la vida disciplinar del seminario que le parece dura, buscando evasiones

1961

UGARTE Y LOYO, José Ignacio

Curso 2º Filosofía

1. Antecedentes familiares. / Véase su temperamento etc. en años anteriores.
2. Posición económica . . . / Se le ha planteado seriamente el problema de su ajetamiento
3. Salud. / y equilibrio emocional. Muy sensible al aprecio de sus supe-
4. Talento / riores, se da y obedece cuando cree contar con el afecto de
5. Conducta / ellos: Ha trabajado con constancia e interés en ello.
6. Aplicación / Muy fiel. Responsable en lo que se le confía. Ha dado muestras
7. Urbanidad / de gran voluntad y aprecio de su vocación.
8. Docilidad / Tendrá que proseguir cuidando de su temperamento: Persiguen
9. Trato social. / do un gra ideal pero con estima práctica de la cruz y venci-
10. Carácter. / miento.

OBSERVACIONES / Parece haber superado su "inclinación afectiva", de otros cur/
/ sos, hacia alguno de sus compañeros. ? Queda solucionado el

/ problema?

/ Docil, incluso al reconocer sus deslices disciplinarios.

/ Buen compañero; activo. -- Píadoso. -- Longuea punto el sentimiento del propio valor.

Informe ofrecido por Dn. FERNANDO GONZALO-BILBAO
actual Vicario General de la Diócesis de Vitoria

Conocí a José Ignacio Ugarte ,como condiscípulo en el Seminario de Vitoria en los cursos 1º y 2º de Filosofía y 1º,2º y 3º de Teología (1961-1966).

Le recuerdo como un seminarista de buen caracter, extrovertido, con algunas dificultades para superar los estudios.

Al acercarse ,en tercero de Teología, las primeras Ordenes menores abandonó el Seminario por indicación de los superiores. Los condiscípulos no supimos los motivos, pero hubo entonces comentarios acerca de que la situación de crisis en las relaciones familiares entre sus padres podían estar relacionadas con aquella decisión; de hecho he sabido después que esas relaciones llegaron a la ruptura.



Informe ofrecido por Dn. SATURNINO GAMARRA-MAYOR
actual Decano de la Facultad de Teología del Norte de España, sede de Vitoria

1

J.I. UGARTE.

Le conocí cuando cursó primero de Teología (1963-1964). A este curso en aquel tiempo se le daba mucha importancia como fundamentación vocacional y espiritual de los candidatos al sacerdocio. Puedo decir, como encargado que fui de este curso, que J.I. Ugarte lo llevó bien.

Ya en el tercer curso de Teología no se le permitió que continuara. Me consta que el caso se llevó con mucha discreción y en secreto. Tengo la impresión muy fundada de que el motivo fue una inmadurez afectiva que se mostró en el Seminario y en la pastoral que iniciaba.

Item of Information Submitted by Msgr. Fernando Gonzalo-Bilbao
Present Vicar General of the Diocese of Vitoria

I met José Ignacio Ugarte as a fellow student in the Seminary of Vitoria during the first and second year of Philosophy and first, second, and third year of Theology (1961-1966.)

I remember him being a seminarian of good character, extrovert with some difficulty in trying to excel in his studies.

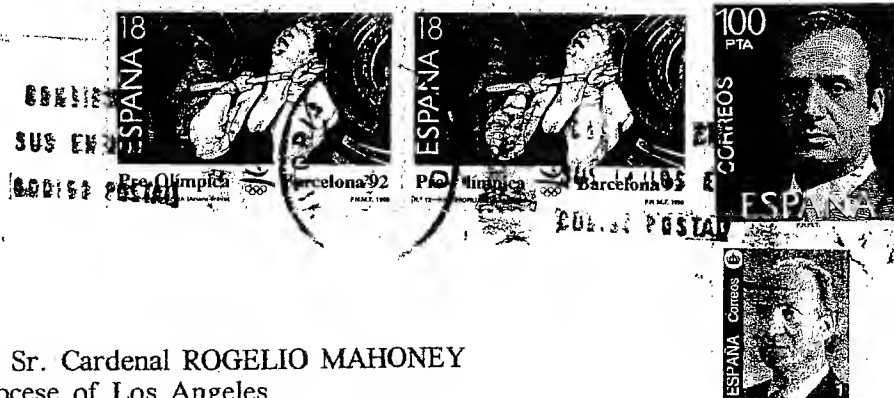
Close to our first minor vows in our third year of Theology, he left the Seminary at the request of his superiors. His fellow classmates did not know the motives, but back then there were comments about the crisis situation in the family relations between his parents that might have been related with that decision; in fact, later I learned that those relations ended in rupture.

Information submitted by Msgr. Saturnino Gamarra-Mayor
Present Dean of the Faculty of Theology of Northern Spain
See of Vitoria

J.I. Ugarte

I met him when I was in the first year of Theology (1963-1964.) This course was given great importance because it was a vocational and spiritual foundation for candidates to the Priesthood. I can say that J.I. Ugarte did very well as I was in charge of this course.

We were in third year of Theology when he was not allowed to continue. I can testify that his case was treated with the utmost discretion and secrecy. I firmly believe that the motive was an emotional immaturity that he had showed in the Seminary and in his ministry that was initiated.



Emmo. Sr. Cardenal ROGELIO MAHONEY
Archdiocese of Los Angeles
Office of the Archbishop- (213) 252-3288
1531 West Ninth Street
LOS ANGELES -California, 90015-1194

REV. JOSE UGARTE

NTIAL

CONFIDENTIAL

THE ARCHBISHOP OF LOS ANGELES

CONFIDENTIAL

25030

See below for
REDACTED notes

on April 1993 meeting
with Semuwan
REDACTED; draft of memo
to St. Luke Evaluation team
for Vgarte; notes on Vgarte
September 3, 1993.
Material not received for
typing until November 1993
after Vgarte release

Rev. Jose I. Ugarte
 [REDACTED]
 [REDACTED]

Dear Father Ugarte:

Since receiving your letter of May __, I have called your number at the cabin at Big Bear three times and, to date, have received no response.

My purpose in calling was to invite you to make an appointment with the Cardinal as I suggested in my letter, and as you contend in your letter. (T. D. suggested that you would probably want to rephrase this) You can do this by calling the Cardinal's secretary, Monsignor [REDACTED], at [REDACTED].

Thank you very much.

[REDACTED]
 T.D.

cc: RMM

Cover memo to Cardinal--

Just to keep you informed of the latest re Fr. Ugarte.

[Also include with this cover memo, copy of notes (couple of yellow pages) from T.R. to T.D. re discussion of Fr. Ugarte's case.]

T.D. said if you can't locate T.R. notes - send to EMMY.

25147

UGARTE 694 ⁶⁰⁰₄₄ -gero jan
250

- ① Pls make a copy of
this letter for dictz to
SLI Ugarte
memorandum
- ② Pls requisition a chh to
cover NOV 53 ^{thru} MAR 54 for
Ugarte — monthly
amt — same as we gave
him while he was at SLI
- ③ Once he sees Card. + some
settlement has been made — we
may be able to discontinue monthly
chh — but until then — pls
send
- ④ File this letter Over



Archdiocese of Los Angeles

Office of
the Archbishop

1531
West Ninth
Street

Los Angeles
California
90015-1194

DECREE

Acting in accord with the pastoral responsibility for the spiritual welfare of the portion of the People of God entrusted to me as Archbishop of Los Angeles (canon 381, §1), it has been determined that, at least for the present, no Archdiocesan assignment can be entrusted to Reverend Jose Ignacio Ugarte. It is also necessary under current circumstances for there to be a clear sign that Reverend Jose Ignacio Ugarte is not authorized to act in a formal priestly capacity in the public ministry of the Archdiocese. Given these facts, I hereby decree the following:

- 1) The faculties of the Archdiocese of Los Angeles which were heretofore entrusted to the Reverend Jose Ignacio Ugarte are hereby revoked in accord with the provisions of canon 142, §1. This reflects the fact that the cause for which those faculties were initially extended (i.e., an Archdiocesan assignment) has ceased and there is no longer any need for the authority of those faculties.
- 2) Furthermore, in accord with canon 764, I hereby revoke the faculty to preach of Reverend Jose Ignacio Ugarte since this authority is likewise no longer needed for the service of the People of God in Los Angeles.

It is my hope that the circumstances that have led to this action will be able to be remedied. Should that come to pass, new faculties for priestly ministry will be extended to Reverend Jose Ignacio Ugarte.

This revocation is effective immediately and is to be communicated in writing to the Reverend Jose Ignacio Ugarte.

Given at the Curia of the Archdiocese of Los Angeles this ____ day of _____ in the Year of Our Lord 1994.

Cardinal Roger M. Mahony
Archbishop of Los Angeles

Chancellor/Vice-Chancellor

Archdiocesan Seal

25187

DRAFT??? (not received for typing until late November)

CONFIDENTIAL MEMO

TO: ST. LUKE INSTITUTE EVALUATION TEAM FOR FR. JOSE UGARTE
 FROM: MONSIGNORS TIMOTHY DYER AND TERRY RICHEY
 RE: POSSIBLE OTHER VICTIMS OF ABUSE BY FR. JOSE UGARTE

There are two known victims of sexual abuse, or at least sexual exploitation, perpetrated by Fr. Jose Ugarte.

On Monday, April 17, 1993, [REDACTED] met with us and, in response to our question about the possibility of other victims, described Fr. Ugarte's work with youth groups, retreats for teenagers, etc., in three different parishes. [REDACTED] characterized a former close friend, [REDACTED], as "Father Ugarte's best friend." A year younger than [REDACTED] this young man, [REDACTED], on retreats, always slept with or in Fr. Ugarte's room."

[REDACTED] says that Fr. Ugarte had a group of boys who hung around him a lot. He took them golfing, etc. ([REDACTED]). He would kiss [REDACTED] and [REDACTED] on the mouth often. Recently, [REDACTED], a young married man in Presentation parish, told [REDACTED] that Fr. Ugarte "dumped" [REDACTED] and has a "new friend" in Pius X parish.

This picture suggests the existence of other victims. We are very concerned that, if there are victims who can be reached, they be offered appropriate support and treatment for their injury.

We suggest that Fr. Ugarte be asked to name any other victims. If he willingly gives names, that would both facilitate an offer of help and relieve them of the burden of feeling they would betray Fr. Ugarte by acknowledging such abuse. If he denies having abused any other young men, we would have to make discreet inquiries based on what we have been told.

[If he willingly gives names, we could find such victims more easily. These victims would be relieved if the burden of feeling they would betray Fr. Ugarte by acknowledging such abuse, and [REDACTED] would be freed of the role of the accuser.]

April 19, 1993

██████████ (seminarian)
Jose Ugarte

When last 1987
Absolution

██████████ said that after sexual activity, Fr. Ugarte would place his hand on ██████ head and pray silently. ██████ asked "The way you pray for me, does that mean my sins are forgiven?" Fr. Ugarte said, "Yes." ██████ said "I told him I was worried about going to hell." Father said "Jesus will laugh at these things at our Judgment Day. They are only games."

██████████--a year younger than ██████ Fr. Ugarte's best friend. Fr. Ugarte would kiss him on the lips often; ██████ was de-sensitized (his word) by observing such kissing, gradually submitting to Fr. Ugarte's advances, and more--"I was puzzled by ██████'s personality, low self-esteem and always showing off. Now I think I understand--he was compensating. On retreats he always slept with, in Fr. Ugarte's room"

I didn't tell anyone about this in college because I thought they would kick me out...In Theology I guess I got a little more mature.

He had a group of boys, hung around (██████████, ████████████████████) took them golfing and other things. Fr. Ugarte would kiss ██████ and ██████ on the mouth often.

██████████, a friend, told ██████ that Fr. Ugarte "dumped" ██████ and has a "new friend" from Pius X parish. ██████ married two years ago, still a member of Presentation parish.

"He developed the image of a friendly, hugging, loving priest--he dupes the people this way, he desensitizes for later advances. The people love him. His group is into 'God loves you' stuff, no social action."

██████████ I like it here [St. Luke's????]. Understanding of my childhood has opened up more than I thought possible. I was sceptical about staff (the bishop's spies), now I trust them. I'm surprised I'm able to do well in small groups.

CMOB #	32
Considered by CMOB	<input checked="" type="checkbox"/>
Inactive Date	2/24/2010
Case Name	Inactive Priest
Active Case?	<input type="checkbox"/>

Priest Name	Ugarte, Jose I.
DOB	7/29/1941
Ethnicity	Spanish
Diocese	Archdiocese of Los Angeles
Canon State	Diocesan Priest
Religious Order	
Incardination	
Date Of Ordination	5/29/1971
Clergy Status	Inactive Leave

Clergy (Faculties)	
Religious	<input type="checkbox"/>
Diocesan	<input type="checkbox"/>
Description	

Deacon	
DOB	
Diocese	
Ethnicity	
Ordination	
Status	

Date Referred to Vicar	5/29/2008
Date Of Alleged Incident	1974
Alleged Victim	Youth - Male
Multiple Victims	<input type="checkbox"/>
Accusers	
Investigation Complete	<input type="checkbox"/>
Investigator Name	E Benavides
Removed From Ministry	<input type="checkbox"/>
Date Removed From Ministry	
Date Returned To Ministry	
Case Disposition	
DispositionComments	
Intervention	<input type="checkbox"/>
Description	A report was received by Victims Assistance from a woman who claims that when her brother was sixteen he was molested by Fr X on at least three occasions. The incidents reportedly happened in 1974. The priest inappropriately touched her brother. The woman refused to give her brother's name or her own name, but said that her brother would contact VA. Fr X was ordained in 1971 and served in the diocese until 1993. He has been on inactive leave since 1993.
Case Status	

August 27, 2008	he Board was informed about the report received by VA. An investigation will be conducted. A report will be made to the Board.
January 27, 2010	The Board reviewed the case and it was decided that Fr. X should be informed by the V/C of the allegation and that the Board Chair will check into whether Fr. X's inactive leave is related to sexual misconduct charges. If it is, the case will be kept opened; if not, the case will be moved to Inactive.
February 24, 2010	Inactive leave was due to other ministry issues so case moved to Inactive.

*Follow Up**Follow Up Date**Legal Proceedings**Legal Proceedings?* ☐*Court Cases Settled**Response**Response Date**Sent To Rome?* ☐*Date Sent To Rome**Canonical Trial* ☐*Canonical Trial Date**Canonical Disposition**Page*

24

REDACTED

Clergy Assignment Record (Detailed)

Rev Jose I. Ugarte

REDACTED

Current Primary Assignment

<i>Birth Date</i>	7/29/1941	<i>Age:</i>	67
<i>Birth Place</i>	Delica, Alava, Spain	<i>Deanery:</i>	22
<i>Diaconate Ordination</i>			
<i>Priesthood Ordination</i>	5/29/1971		
<i>Diocese Name</i>	Archdiocese of Los Angeles		
<i>Date of Incardination</i>	5/29/1971		
<i>Religious Community</i>			
<i>Ritual Ascription</i>	Latin		
<i>Ministry Status</i>	Inactive Leave		

Home phone

REDACTED

Seminary St. John Seminary, Camarillo*Ethnicity* Spanish

<i>Language(s)</i>	<i>Fluency</i>
Spanish	Native Language

Fingerprint Verification and Safeguard Training*Date Background Check**Virtus Training Date*

Assignment History

<i>Assignment</i>	<i>Beginning Date</i>	<i>Completion Date</i>
Inactive Leave	11/1/1993	
Sick Leave	5/1/1993	10/31/1993
St. Pius X Catholic Church, Santa Fe Springs Associate Pastor (Parochial Vicar), Active Service	9/21/1987	4/30/1993
St. Matthias Catholic Church, Huntington Park Associate Pastor (Parochial Vicar), Active Service	7/9/1983	9/20/1987
Presentation of Mary Catholic Church, Los Angeles Associate Pastor (Parochial Vicar), Active Service	2/10/1979	7/8/1983
Santa Clara Catholic Church, Oxnard Associate Pastor (Parochial Vicar), Active Service	6/16/1975	2/9/1979
St. Thomas the Apostle Catholic Church, Los Angeles Associate Pastor (Parochial Vicar), Active Service	6/14/1971	6/15/1975

Background Information

<i>Salutation</i>	Father	<i>Retired in Rectory?</i>	<input type="checkbox"/>
<i>Social Security Number</i>	REDACTED	<i>Will Filed?</i>	<input checked="" type="checkbox"/>
<i>Citizenship</i>		<i>Reference</i>	<input checked="" type="checkbox"/>
<i>Immigration Status</i>	Citizen	<i>Power of Attorney Health Care</i>	<input type="checkbox"/>
<i>Green Card End Date</i>		<i>Power of Attorney Finance</i>	<input type="checkbox"/>
<i>Payroll in lieu of stipends</i>	<input type="checkbox"/>		
<i>Enrolled in Pension Plan</i>	<input type="checkbox"/>		
<i>Receiving Pension?</i>	<input type="checkbox"/>		



Archdiocese of Los Angeles

REDACTED

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

February 11, 2010

TO: File

FROM: REDACTED
Clergy Misconduct Oversight Board

SUBJECT: Fr. Jose I. Ugarte (CMOB 152)

The Clergy Misconduct Oversight Board considered the complaint against Father Jose Ugarte on August 27, 2008 and January 27, 2010.

This case involves a report to VAM in May 2008 by the sister of an alleged victim. The woman, who gave only her first name, claimed that her brother was molested when he was 16 (in 1974) by Fr. Ugarte on at least three occasions. She refused to give her brother's name but said that her brother would contact VAM, which has not happened. Fr. Ugarte has been on inactive leave since 1993. At its January 2010 meeting, the Board discussed whether or not an accused priest should be informed of an accusation such as this and given the opportunity to make a statement. It was decided that REDACTED will notify Fr. Ugarte about the accusation and give him an opportunity to make a statement. REDACTED will determine if Fr. X's inactive leave is related in any way to sexual misconduct charges and notify the Board Chair of his findings. It was subsequently determined that Father Ugarte's leave was due to other ministry issues and the case was moved to the inactive file.

REDACTED

Clergy Misconduct Oversight Board



ARCHDIOCESE OF LOS ANGELES
Child Abuse and Neglect Reporting

This report involves:

☐ Current Minor and Church Employee/volunteer
☐ Current Minor and Priest
☒ Past Minor and Priest *on Inactive Service*
☐ Past Minor and Religious Brother
☐ Past Minor and Religious Sister
☐ Adult/Adult Case
☐ Other

This Abuse was Sexual: ☒

This abuse was Physical: ☐

There was inappropriate touch: ☒

There was harassment: ☐

Confidential Report

Brief Summary: *Inappropriate sexual touch of a minor in approximately 1974*

To: REDACTED

☒
☒
☐
☒
☐
☐
☐
☐
☐

REDACTED

Assistance Ministry Office

Date Distributed 6/2/08

Revised 5/13/08

**ARCHDIOCESE OF LOS ANGELES
CHILD ABUSE AND NEGLECT
NON-MANDATORY**

Date of this report to Public
Authority:

Name of Public Authority:

Date of this Report to Archdiocese: 5/29/2008

Reported to Archdiocese by: REDACTED

Alleged Victim: Unnamed

Current Address: Unknown

Telephone: Unknown

Date of Birth: Around 1958

Alleged Perpetrator: Fr. Jose Ignacio Ugarte – Inactive Service 1993
REDACTED

Reported Date of Incident: (s) 1974

Reported Circumstances of Incident(s): REDACTED called to say that she was just informed by her brother that at the age of sixteen he was molested by this priest. She said that on three occasions the priest touched her brother in a sexual manner and tried to arouse him. While doing so, the priest was telling that this was normal behavior. She said her brother was repulsed and escaped each time.

Reported Type of Abuse or Neglect: Inappropriate sexual touch.

Comments: REDACTED refused to provide her last name, her telephone number or that of her brother. She said she would have him contact my office. The sister reports that Ugarte is involved with a charismatic group in South Gate. I advised her to make a police report.

Submitted by the Archdiocese of Los Angeles:

REDACTED

Ugarte ?